

Appointment

From: Ford, Hayley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]
Sent: 3/19/2018 8:23:39 PM
To: Adm14Pruitt, Scott [adm14pruitt.scott@epa.gov]
Subject: Drop-In: Oklahoma Pork Council & Oklahoma Cattlemen's Association
Attachments: EPA Administrator Pruitt External Meeting Request Form (002).docx
Location: Alm Room

Start: 4/12/2018 1:45:00 PM
End: 4/12/2018 2:00:00 PM
Show Time As: Busy

Appointment

From: Cogliano, Gerain [Cogliano.Gerain@epa.gov]
Sent: 4/26/2018 12:37:31 PM
To: Cogliano, Gerain [Cogliano.Gerain@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Michaud, John [Michaud.John@epa.gov]; Cooperstein, Sharon [Cooperstein.Sharon@epa.gov]; Jacob, Sicy [Jacob.Sicy@epa.gov]; Franklin, Kathy [Franklin.Kathy@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Principe, Vanessa [Principe.Vanessa@epa.gov]; Subramanian, Hema [Subramanian.Hema@epa.gov]; Sullivan, Greg [Sullivan.Greg@epa.gov]; ODea, Elise [odea.elise@epa.gov]; Lewis, Jen [Lewis.Jen@epa.gov]; Danielle Jones [Danielle_Y_Jones@omb.eop.gov]; Swenson, Erik [Swenson.Erik@epa.gov]
CC: Fotouhi, David [Fotouhi.David@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Clark, Becki [Clark.Beki@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Miles, James [miles.james@epa.gov]; Ziegel, Dean [Ziegel.Dean@epa.gov]; Hostage, Barbara [Hostage.Barbara@epa.gov]; Indermark, Michele [Indermark.Michele@epa.gov]
Subject: Interagency Discussion with DOJ and OMB on Q&As for CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms (RIN 2050-ZA14)
Location: Conference call
Start: 4/26/2018 7:00:00 PM
End: 4/26/2018 7:30:00 PM
Show Time As: Tentative
Recurrence: (none)

Conference Number / Ex. 6

Appointment

From: Ford, Hayley [ford.hayley@epa.gov]
Sent: 3/20/2018 2:43:07 PM
To: Ford, Hayley [ford.hayley@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]; Greenwalt, Sarah [greenwalt.sarah@epa.gov]; Gordon, Stephen [gordon.stephen@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Meeting: Oklahoma Pork Council & Oklahoma Cattlemen's Association
Attachments: EPA Administrator Pruitt External Meeting Request Form (002).docx
Location: Alm Room
Start: 4/12/2018 1:30:00 PM
End: 4/12/2018 2:00:00 PM
Show Time As: Busy

Note: Senior staff meeting; Administrator dropping in at 9:45/9:50AM for rest of meeting.
Topics: CERCLA / EPCRA and WOTUS

Appointment

From: Thomas, Latosha [Thomas.Latosha@epa.gov]
Sent: 2/13/2018 10:36:06 PM
To: Thomas, Latosha [Thomas.Latosha@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Taylor, Trish [Taylor.Trish@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Subramanian, Hema [Subramanian.Hema@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Animal Waste Communications Update
Attachments: ACTION: Updates to Animal Waste Reporting Communications Materials (2PM TODAY); RE: Animal Waste Widgets
Location: **Conference Number / Ex. 6**
Start: 2/21/2018 9:00:00 PM
End: 2/21/2018 9:30:00 PM
Show Time As: Busy

Hi! Having technical difficulties! Number is changed in subject line!

Hi All,

I wanted to have a quick meeting to discuss where we are re: animal waste communications. I've attached the email I sent out last week regarding changes + an email related to pitching to our stakeholders. Below is an outline of updates + recommendations for outreach efforts (this includes how we can target farmers without internet access).

Updates

- Toolkit will be taken down temporarily from website. Language explaining why will be posted in its place.
www.epa.gov/agriculture
- No longer linking to toolkit from www.epa.gov/animalwaste

Actions

- Make changes that are included in first attachment
- Pitch widget for posting by stakeholders (second attachment)

Deliberative Process / Ex. 5

Region 7

Deliberative Process / Ex. 5

Message

From: Thomas, Latosha [Thomas.Latosha@epa.gov]
Sent: 2/8/2018 2:47:05 PM
To: Jennings, Kim [Jennings.Kim@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Lewis, Jen [Lewis.Jen@epa.gov]; Salo, Earl [Salo.Earl@epa.gov]; Taylor, Trish [Taylor.Trish@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Subramanian, Hema [Subramanian.Hema@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]
CC: Indermark, Michele [Indermark.Michele@epa.gov]; Hyman Moore, Julie [Hyman.Julie@epa.gov]; Roache, Brendan [Roache.Brendan@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Clark, Becki [Clark.Beki@epa.gov]; Mayer, Eileen [Mayer.Eileen@epa.gov]
Subject: ACTION: Updates to Animal Waste Reporting Communications Materials (2PM TODAY)
Importance: High

Hi All,

Here's a summary of the communications products that need to be changed based on the Court granting EPA's motion to further stay issuance of the mandate until May 1, 2018. The major changes are related to the fact sheet + toolkit. I have outlined my suggested revisions below. Please let me know by **3PM today** if you have any comments/suggestions. Thanks!

FACT SHEET https://www.epa.gov/sites/production/files/2018-01/documents/cercla_epcra_factsheet_final.pdf

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TOOLKIT <https://www.epa.gov/agriculture/online-resources-cercla-and-epcra-air-emissions-agriculture>

First action: Take down all content immediately until everything is updated. **New message for page:** *We are currently revising outreach materials for farmers with animal operations in order to be consistent with the DC Circuit Court of Appeals' decision to grant EPA's motion to further stay the issuance of the mandate until May 1, 2018. If you have any questions or comments, please send an email to CERCLA103.guidance@epa.gov.*

Second action:

Facebook posts for toolkit

- **Current:** Due to a recent Court action, many farmers with animal operations will be required to report emissions from animal waste as early as Jan. 22. Visit www.epa.gov/animalwaste or call 1-800-424-9346 for tools on the new requirement.

Deliberative Process / Ex. 5

Tweets for toolkit

- **Current:** Visit www.epa.gov/animalwaste or call 1-800-424-9346 to get info about the new reporting requirements for farmers coming as early as Jan. 22! #animalwaste

Deliberative Process / Ex. 5

PSA Audio File

- **Current:** Due to a recent court action, many farms with animal operations across the United States will be required to report emissions from animal waste as early as January 22. EPA had exempted most farms from this requirement under the EPCRA and CERCLA laws but due to a recent lawsuit, the courts eliminated this exemption. EPA has online tools to help animal ag producers determine if this requirement applies to their operations, and help them comply with the law. To learn more, visit www.epa.gov/animalwaste or call 1-800-424-9346.

Deliberative Process / Ex. 5

- **Current:** Due to a recent Court action, many farms with animal operations (which includes ranching operations) will need to report emissions from animal waste as early as Jan. 22.

Several environmental laws (Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and the Emergency Planning and Community Right-to-Know Act (EPCRA)) require any facility to report releases of hazardous substances if the releases exceed a reportable quantity in a 24-hour period. In 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substance from animal waste under CERCLA, and only subjected large concentrated animal feeding operations (CAFOs) to EPCRA reporting. The primary rationale for the final rule was the fact that, although the purpose of the notifications is to evaluate the need for an emergency response, EPA had not initiated any responses to air releases from animal waste and EPA could not foresee a circumstance where such a release would trigger a response. Citizen groups challenged the validity of EPA's rule, and the U.S. Court of Appeals for the DC Circuit struck down EPA's rule on April 11, 2017, eliminating the exemptions for farms. EPA sought and was granted additional time from the Court to delay the effective date of the ruling until January 22, 2018, so that EPA could develop guidance materials to help farmers understand their reporting obligations. No reporting is required until the Court issues its order, or mandate, enforcing the April, 2017 decision.

Once reporting is required, farms may follow a streamlined reporting process known as "continuous release reporting." This requires the facility owner or operator to:

- Notify the National Response Center for qualifying releases that occur within a 24-hour period;
- Submit an initial written notification (Continuous Release Reporting Form found at: <https://www.epa.gov/epcra/appendix-b-reporting-requirements-continuous-releases-hazardous-substances>) to the EPA Regional Office; and
- One year later, submit an additional follow-up written notification to the EPA Regional Office.

As part of the initial written notification, facility owners and operators are required to report an estimate on their releases. EPA recognizes it will be challenging for farmers to estimate releases because the variability in emissions from manure management systems has slowed the development of universally applicable methodologies for estimating these releases. However, to help farmers comply with the Court's requirement, EPA has made resources available on its website which may be helpful in estimating emissions. Farmers may also use other models in estimating emissions. Estimated quantities of releases by farmers can be based on: past release data; engineering estimates; their knowledge of the facility's operations and release history; or their best professional judgment. Monitoring data is not required. Farmers should keep a copy of the calculation for future reference. For more information, please see the Resources link at: <https://www.epa.gov/animalwaste>

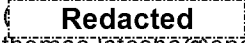
Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Widget

- **Current:** Due to a recent court action, many farms with animal operations will be required to report emissions from animal waste as early as January 22.

Deliberative Process / Ex. 5

Latosha Thomas
U.S. Environmental Protection Agency
OLEM/OEM/RMD
(202) 564-2621 (desk)
 **Redacted**
thomas.latosha@epa.gov

Message

From: Orquina, Jessica [Orquina.Jessica@epa.gov]
Sent: 2/13/2018 5:49:09 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]; Thomas, Latosha [Thomas.Latosha@epa.gov]
CC: Valentine, Julia [Valentine.Julia@epa.gov]
Subject: RE: Animal Waste Widgets

Hi Nancy & Latosha,

Below are some draft emails to ask folks to put our widget on their websites. Feel free to tweak and let me know if you need any help.

Thanks! Jess

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Jessica Ann Orquina, Director
Office of Web Communications
U.S. Environmental Protection Agency
Email: orquina.jessica@epa.gov
Office: 202-564-0446

Personal Phone / Ex. 6

From: Grantham, Nancy
Sent: Tuesday, February 13, 2018 8:40 AM
To: Thomas, Latosha <Thomas.Latosha@epa.gov>
Cc: Orquina, Jessica <Orquina.Jessica@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>
Subject: Re: Animal Waste Widgets

Yes - good to go on web
changes thx ng

Sent from my iPhone

On Feb 13, 2018, at 8:37 AM, Thomas, Latosha <Thomas.Latosha@epa.gov> wrote:

Yep. I discussed pitching internal to OEM last week. I agree with all of this. We may find out more info on the call with Barry this afternoon.

Nancy – did you see my suggested changes to the web content that I asked about last week? We can make those changes ASAP if you're ok with them.

From: Grantham, Nancy
Sent: Monday, February 12, 2018 6:00 PM
To: Orquina, Jessica <Orquina.Jessica@epa.gov>
Cc: Valentine, Julia <Valentine.Julia@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>
Subject: RE: Animal Waste Widgets

Looping in Latosha thomas who is lead on this issue for oem – to see her thoughts thanks ng

Nancy Grantham

**Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)**

Cellular Phone / Ex. 6

From: Orquina, Jessica
Sent: Monday, February 12, 2018 2:44 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Valentine, Julia <Valentine.Julia@epa.gov>
Subject: Animal Waste Widgets

Hi Nancy,

Since we launched the animal waste widgets a month ago, there's the traffic they have received:

- Large English animal waste widget – 1812 pageviews
- Small English animal waste widget – 3 pageviews
- Large Spanish animal waste widget – 207 pageviews
- Large English animal waste widget – 0 pageviews

This is okay, but I think it could be better. We have noticed that the sites we're getting the most traffic from are national (not regional) in scope. (See list of the top 10 referring sites below. I was thinking it might make sense for OMR or OPE to do some pitching to ag publications and stakeholders and ask them to install the widget on their websites. (OWC could easily draft an email for folks to send out.)

I'd also suggest reaching out to USDA and asking them to post on these pages:

- Environmental Compliance:
<https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/technical/ecosciences/ec/>
- Animal Waste Management:
<https://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/technical/ecoscience/mnm/?cid=stelprdb1044732>

Just some ideas to continue to bring awareness to this. Let me know how I can help.

Thanks! Jess

Widget Page Referrers

Pageviews

agpros.com/	861
CPRE	11
dib.uky.edu/bae/cercla	11
articles.extension.org/pages/28452/cercla-and-epcra-reporting-for-animal-agriculture	10
ecology.wa.gov/Regulations-Permits/Laws-rules/Rulemaking/WAC-173-360-Mar16	7
eenews.net/eenewspm/2018/01/10/stories/1060070669	6
mail.google.com/mail/u/0/	6
uky.edu/bae/cercla	6
facebook.com/	5
jeepforum.com/forum/f9/catalytic-converter-recall-233250/	5

Jessica Ann Orquina, Director
Office of Web Communications
U.S. Environmental Protection Agency
Email: orquina.jessica@epa.gov
Office: 202-564-0446

Personal Phone / Ex. 6

Appointment

From: Kenely, Caroline [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9B067E015E69442B8B5B8333CA36563F-KENELY, CAROLINE]
Sent: 1/26/2018 2:56:29 PM
To: Breen, Barry [Breen.Barry@epa.gov]; Brown, Byron [brown.byron@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Lewis, Jen [Lewis.Jen@epa.gov]; Indermark, Michele [Indermark.Michele@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Hostage, Barbara [Hostage.Barbara@epa.gov]; Cogliano, Gerain [Cogliano.Gerain@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; Michaud, John [Michaud.John@epa.gov]; Noggle, William [Noggle.William@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Darwin, Veronica [darwin.veronica@epa.gov]; Subramanian, Hema [Subramanian.Hema@epa.gov]; Colip, Matthew [colip.matthew@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Clark, Becki [Clark.Becki@epa.gov]; Harwood, Jackie [Harwood.Jackie@epa.gov]; Sullivan, Greg [Sullivan.Greg@epa.gov]
CC: Thomas, Latosha [Thomas.Latosha@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Prins, Christopher [Prins.Christopher@epa.gov]; Fogarty, Johnpc [Fogarty.Johnpc@epa.gov]; Theis, Joseph [Theis.Joseph@epa.gov]; Crossland, Andy [Crossland.Andy@epa.gov]

Subject: EPCRA/CERCLA - **Conference Number / Ex. 6**
Attachments: CERCLA EPCRA Milestones-Draft 12518.docx
Location: 3146 WJC West

Start: 1/26/2018 3:00:00 PM
End: 1/26/2018 3:45:00 PM
Show Time As: Busy

POC: Becky Brooks - 566-2762
Caroline Kenely - 566-2235 (scheduler)

Appointment

From: Hilosky, Nick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=39E1182AC8CD4709AE0787CA4A068D2D-NHILOSKY]
Sent: 1/23/2018 5:02:55 PM
To: Breen, Barry [Breen.Barry@epa.gov]; Brown, Byron [brown.byron@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Lewis, Jen [Lewis.Jen@epa.gov]; Indermark, Michele [Indermark.Michele@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Hostage, Barbara [Hostage.Barbara@epa.gov]; Cogliano, Gerain [Cogliano.Gerain@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; Noggle, William [Noggle.William@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Darwin, Veronica [darwin.veronica@epa.gov]
CC: Michaud, John [Michaud.John@epa.gov]; Subramanian, Hema [Subramanian.Hema@epa.gov]; Colip, Matthew [colip.matthew@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Clark, Becki [Clark.Becki@epa.gov]
Subject: EPCRA/CERCLA; **Conference Number / Ex. 6**
Location: 3146 WJC West
Start: 1/24/2018 2:45:00 PM
End: 1/24/2018 3:30:00 PM
Show Time As: Busy

POC: Becky Brooks - 566-2762
Caroline Kenely - 566-2235

****Agenda is below and copies will be available at the meeting****

Agenda

Provide update on:

- Court mandate- OGC
- Outreach –Jeff/ Tate/ OEM
 - Stakeholder calls
 - Guidance updates
 - Addressing digital divide- USCG NRC, Information center
- Legislation- OCIR
- ICR- streamlined continuous release form for farmers-OEM
- Rulemakings -OEM/OGC
 - EPCRA legislative rule
 - Vacatur rule
 - RQs

Appointment

From: Thomas, Latosha [Thomas.Latosha@epa.gov]
Sent: 1/17/2018 3:38:45 PM
To: Thomas, Latosha [Thomas.Latosha@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; jklippenstein@dfamilk.com; barbara.obrien@rosedmi.com; cwoodall@beef.org; pauls@fb.org; bpatterson@nfudc.org; jjonker@nmpf.org; apeterson@chickenusa.org; dwells@turkeyfed.org; astokes@pork.org; davisb@nppc.org; kbryan@unitedegg.com; pbredwell@uspoultry.org; dairyspot@milk4u.org; innovationcenter@usdairy.com; tammy.dennee@oregondairyfarmers.org; richard@aradc.org; ethomas@tfi.org; christinegeith@extension.org; barb@nasda.org; mkeogh@4cleanair.org; Cheatham, Reggie [cheatham.reggie@epa.gov]; Clark, Becki [Clark.Beki@epa.gov]; Indermark, Michele [Indermark.Michele@epa.gov]; Colip, Matthew [colip.matthew@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Nitsch, Chad [Nitsch.Chad@epa.gov]; Levine, Carolyn [Levine.Carolyn@epa.gov]; Janifer, Pamela [Janifer.Pamela@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Subramanian, Hema [Subramanian.Hema@epa.gov]; Richardson, RobinH [Richardson.RobinH@epa.gov]; Bowles, Jack [Bowles.Jack@epa.gov]; Barbery, Andrea [Barbery.Andrea@epa.gov]; crichter@thepolicygroup.com; Andrew Walmsley [andreww@fb.org]; clehn@niseifarmersleague.com; Clay Detlefsen [cdetlefsen@nmpf.org]; tom.hebert@bayardridge.com; Scott Yager [syager@beef.org]; Michael Formica [formicam@nppc.org]; christopher_eyestone@seaboardcorp.com; courtney.bourgoin@sierraclub.org; baja@arizonabeef.org; pbray@arizonabeef.org
CC: tgablehouse@gcgllc.com; Danielle Quist [danielleg@fb.org]; Hinda Mitchell [Hinda@InspirePRGroup.com]; Lisa Wallenda Picard [lpicard@turkeyfed.org]; Leslee Oden [LOden@turkeyfed.org]; Keith Williams [KeithWilliams@turkeyfed.org]; Tesoriero, Richard [Richard_Tesoriero@seaboardcorp.com]
Subject: EPA Animal Waste Reporting Outreach Call with Stakeholders
Attachments: CERCLA EPCRA Factsheet FINAL (SPANISH) 2.pdf; CERCLA EPCRA Factsheet FINAL.pdf
Location: Conference Number / Ex. 6
Start: 1/18/2018 4:00:00 PM
End: 1/18/2018 5:00:00 PM
Show Time As: Busy

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period. The purpose of this call is to provide an overview and basic information for our stakeholders who are impacted by this new requirement.

The number of lines is limited, so it is recommend that participants consolidate call-in location if possible. Also, please remember to place your phone on mute while you're not speaking or asking a question. Thanks!

Appointment

From: Nitsch, Chad [Nitsch.Chad@epa.gov]
Sent: 1/16/2018 10:32:59 PM
To: Nitsch, Chad [Nitsch.Chad@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Britt Aasmundstad [britt@nasda.org]; Nathan Bowen [Nathan@nasda.org]; Aline DeLucia [aline@nasda.org]; Subramanian, Hema [Subramanian.Hema@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Thomas, Latosha [Thomas.Latosha@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Bowles, Jack [Bowles.Jack@epa.gov]; Gordon, Stephen [gordon.stephen@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Cory, Preston (Katherine) [Cory.Preston@epa.gov]
CC: Regional Administrators [Regional_Administrators@epa.gov]; DRA [DRA@epa.gov]; Rodrigues, Cecil [rodrigues.cecil@epa.gov]; Servidio, Cosmo [Servidio.Cosmo@epa.gov]; Lyons, John [Lyons.John@epa.gov]; Johnson, Kathleen [Johnson.Kathleen@epa.gov]; Maldonado, Lewis [Maldonado.Lewis@epa.gov]; Lawrence, Kathryn [Lawrence.Kathryn@epa.gov]; Moore, Letitia [Moore.Letitia@epa.gov]; Idsal, Anne [idsal.anne@epa.gov]; Bender, Emily [Bender.Emily@epa.gov]; Gutro, Doug [Gutro.Doug@epa.gov]; Szaro, Deb [Szaro.Deb@epa.gov]; Pirzadeh, Michelle [Pirzadeh.Michelle@epa.gov]; Mortensen, Ginah [mortensen.ginah@epa.gov]; Winnett, Steven [winnett.steven@epa.gov]; Heinemann, Kristina [Heinemann.Kristina@epa.gov]; Shenk, Kelly [shenk.kelly@epa.gov]; Robertson, Duane [Robertson.Duane@epa.gov]; Winn, G. Dean [winn.gerald@epa.gov]; Rush, Randall [Rush.Randall@epa.gov]; Flournoy, Karen [Flournoy.Karen@epa.gov]; Perrin, Rebecca [Perrin.Rebecca@epa.gov]; Miller, Amy [Miller.Amy@epa.gov]; Peak, Nicholas [Peak.Nicholas@epa.gov]; Galloway, Carol [Galloway.Carol@epa.gov]; Jones, Bill [jones.bill@epa.gov]; Benevento, Douglas [benevento.douglas@epa.gov]; Kaplan, Robert [kaplan.robert@epa.gov]; Smidinger, Betsy [Smidinger.Betsy@epa.gov]; Gulliford, Jim [gulliford.jim@epa.gov]; Dunkins, Robin [Dunkins.Robin@epa.gov]
Subject: EPCRA/CERCLA Outreach with NASDA & ECOS Members Conference Number / Ex. 6
Attachments: CERCLA EPCRA Factsheet FINAL.PDF; CERCLA EPCRA Factsheet FINAL (SPANISH).pdf
Location: WJCN 3330 (OARM Conference Room)
Start: 1/18/2018 7:00:00 PM
End: 1/18/2018 8:00:00 PM
Show Time As: Busy

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period. We expect this will become effective on or around January 22nd, pending court action. The purpose of this call is to provide an overview and basic information for our state environmental and agriculture partners who are impacted by this new requirement and offer a brief Q&A session.

The teleconference is from **2pm -3pm EDT on Thursday, January 18th, 2018**. The participant call in number is **833-679-7657, Conference ID 1239429**. We are limited to 250 lines, so we recommend that participants consolidate call-in location, when possible. Also due to the large call-in volume, we ask that participants please call in at least 15 minutes early to provide your name and organization to the operator. Thanks in advance for your participation.

Chad Nitsch
Acting Director of State and Regional Partnerships
Office of Congressional and Intergovernmental Relations
United States Environmental Protection Agency
202-564-4714

Appointment

From: Tara Ousley [Ousley.Tara@azdeq.gov]
Sent: 12/11/2017 4:04:58 PM
To: Tara Ousley [Ousley.Tara@azdeq.gov]; Gordon, Stephen [gordon.stephen@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Cory, Preston (Katherine) [Cory.Preston@epa.gov]; Cabrera.misael@azdeq.gov; Laura L. Malone [Malone.Laura@azdeq.gov]; Lolee Tolson [Tolson.Lolee@azdeq.gov]; Timothy Franquist Jr. [FranquistJr.Timothy@azdeq.gov]; Tawnya Cook [Cook.Tawnya@azdeq.gov]
Subject: FW: 3pm AZ / 5pm EST Call EPA/ADEQ - Hickman's Family Farms
Attachments: RE: HICKMAN'S FAMILY FARMS CALL WITH EPA/ADEQ
Location: Call-In Details Below (ADEQ staff will hold call in 6100G)

Start: 12/14/2017 10:00:00 PM
End: 12/14/2017 11:00:00 PM
Show Time As: Busy

-----Original Appointment-----

From: Tara Ousley [mailto:Ousley.Tara@azdeq.gov]
Sent: Monday, December 11, 2017 11:05 AM
To: Tara Ousley; Cory, Preston (Katherine); Bennett, Tate; Cabrera.misael@azdeq.gov; Laura L. Malone; Lolee Tolson; Timothy Franquist Jr.; Tawnya Cook
Subject: 3pm AZ / 5pm EST Call EPA/ADEQ - Hickman's Family Farms
When: Thursday, December 14, 2017 3:00 PM-4:00 PM (UTC-07:00) Arizona.
Where: Call-In Details Below (ADEQ staff will hold call in 6100G)

- **Date:** Thursday, December 14, 2017
- **Time:** 3:00pm AZ / 5:00pm EST
- **Topic:** Hickman's Farms (Tara hand delivered subject matter to Lolee and Tawnya on 12/8/17)
- **Call-In Information:**

Conference Number / Ex. 6

- **Attendees:**
 - Tate Bennett, Assoc. Adm., Office of Public Engagement, EPA
 - Preston Cory, Congressional and Intergovernmental Relations, EPA
 - Misael Cabrera, ADEQ Director
 - Laura Malone, Waste Programs Division Director
 - Tim Franquist, Air Quality Division Director

Thank you,

Tara Ousley

Executive Assistant to Director Misael Cabrera, P.E.
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, AZ 85007

Office: (602) 771-4406
Ousley.tara@azdeq.gov
www.azdeq.gov
Scheduled on 12/11/17

Appointment

From: Davis, Patrick [davis.patrick@epa.gov]
Sent: 10/2/2017 4:02:09 PM
To: Davis, Patrick [davis.patrick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Clark, Becki [Clark.Becki@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; daniellemq@fb.org; Gordon, Stephen [gordon.stephen@epa.gov]; donp@fb.org; andrew@fb.org; Hostage, Barbara [Hostage.Barbara@epa.gov]
CC: Cogliano, Gerain [Cogliano.Gerain@epa.gov]
Subject: EPCRA/CERCLA w/Farm Bureau
Location: 1301 Constitution Avenue, NW, DC 20004, Room 3146 West Building
Start: 10/3/2017 6:30:00 PM
End: 10/3/2017 7:15:00 PM
Show Time As: Busy

Security:

Please have the guards call OLEM's main number **202-566-0200** for an escort when you arrive.

Closest Metro Station - Federal Triangle Metro on the Orange/Blue/Silver lines

Our Address:

William J. Clinton Building West
1301 Constitution Ave, NW
(On Constitution between 14th and 13th across from the National Museum of American History)

POC: Becky Brooks - 566-2762
Caroline Kenely – 566-2235

Appointment

From: Davis, Patrick [davis.patrick@epa.gov]
Sent: 9/19/2017 7:33:43 PM
To: Davis, Patrick [davis.patrick@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Clark, Becki [Clark.Becki@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Jacob, Sicy [Jacob.Sicy@epa.gov]; Principe, Vanessa [Principe.Vanessa@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]; Taylor, Trish [Taylor.Trish@epa.gov]; George Hull [Hull.George@epa.gov]; Hostage, Barbara [Hostage.Barbara@epa.gov]; Cogliano, Gerain [Cogliano.Gerain@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]
CC: Breen, Barry [Breen.Barry@epa.gov]; Bosecker, Elizabeth [Bosecker.Elizabeth@epa.gov]; Indermark, Michele [Indermark.Michele@epa.gov]
Subject: EPCRA/CERCLA Ag Guidance Check-in
Location: 3146 epaw

Conference Number / Ex. 6

Start: 9/20/2017 2:00:00 PM
End: 9/20/2017 2:30:00 PM
Show Time As: Busy

CERCLA/EPCRA

September 20 agenda

1. Guidance status – Kim Jennings/working group (BHAG deadline October 1)
2. Congressional action status
3. Seeking an additional delay – January 15, 2018
4. One and done reporting option
5. Reporting form design, required information, and identifying information – paper forms
6. One entity receiving reports – convenient for farmers
7. Compliance assistance with help from NGO's
8. Communicating to 100,000 farmers:
 - a. Ag Producer groups
 - b. National ag broadcasters convention, November 15 in KC
 - c. Compliance seminars at farm/home shows
 - d. USDA state director network
 - e. State ag schools
 - f. State ag commissioners
 - g. Website
9. Other issues to consider

From: Bennett.Tate@epa.gov [Bennett.Tate@epa.gov]
Sent: 11/15/2017 9:28:14 PM
To: Kevin Hensley [khensley@tbf.com]
Subject: Re: Nashville photos

This just went out to Ray Starling:

- **TIMING:** The court has not yet issued the mandate for the reporting requirement to go into effect, which could be as early as today. We are also awaiting the court's decision on whether to grant an extension on the date, as EPA requested.
 - o Some farmers are attempting to proactively notify, even though they are not required to until 24 hours after the mandate takes effect. A potential concern for farmers is that even if an extension is granted, they may still need to submit their follow up report within 30 days after they submitted their initial notification. A streamlined 30-day report form is still being drafted at OEM and will need to undergo OMB review before release.
- **SYSTEM:** NRC has already begun receiving a high volume of calls, which has overwhelmed their systems and capacity. In the past week, EPA worked with NRC to add a an email option for farmers' initial notifications (which triggers a series of steps, including an automated response email to the farmer).
 - o NRC set up a phone extension specifically for farmers' notifications this week, but that line has been overwhelmed as well. So in the interest of preventing interference with public reporting of critical and acute emergencies (natural disasters, etc.), NRC's phone system is advising farmers that their notifications need to be followed up by email, which may be challenging for some farmers without internet access.
- **IDENTIFIERS:** All farms submitting via email will be provided a CRN identification number, but at this point, due to NRC system constraints, they will all receive the same single (CR-ERNS) number through the automated reply email system (not individual identifiers). OEM is figuring out how to deal with this issue.
- **THRESHOLDS:** OEM is unable to provide categorical specifics on which types of farms need to report because it may be a site-specific determination, there is some question re: statutory requirements, and OEM would not want to pre-empt the determinations of a study still underway at OAR on air emissions from these entities. But OEM has posted some information on its website that farmers can use to assess their emissions.
- **MESSAGE:** The general advice being given to farmers is to document all actions taken in good faith (attempted phone call to NRC, justification for determining meeting the threshold or not, etc.), to call their Regional offices with any questions, and that EPA and NRC are doing the best they can to overcome the numerous technical challenges and make systems and guidance available as fast as possible to meet the court's mandate.
- **INFO/CONTACTS:** EPA will continue to post all updates as they happen on its website at: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>

On Nov 15, 2017, at 3:18 PM, Kevin Hensley <khensley@tbf.com> wrote:

On a side note, if there is any news on the court attempt to stay the reporting requirements due today?

Thanks, Kevin

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Wednesday, November 15, 2017 2:00 PM
To: Gordon, Stephen <gordon.stephen@epa.gov>
Cc: Kevin Hensley <khensley@tfbf.com>
Subject: Re: Nashville photos

Hey Kevin! We need help iding some photos. Can y'all help?

On Nov 15, 2017, at 2:55 PM, Gordon, Stephen <gordon.stephen@epa.gov> wrote:

No not yet. If you could that would be awesome.

From: Bennett, Tate
Sent: Wednesday, November 15, 2017 1:15 PM
To: Gordon, Stephen <gordon.stephen@epa.gov>
Subject: Nashville photos

Did I put you in touch with their lady?

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

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Please also advise us immediately if you or your employer does not consent to receipt of internet email for confidential messages of this kind.

Message

From: Nitsch, Chad [Nitsch.Chad@epa.gov]
Sent: 1/18/2018 6:13:39 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
CC: Gordon, Stephen [gordon.stephen@epa.gov]
Subject: RE: Please share the talking points - Animal Waste

Can do! Jeff announced on the first call, and I can announce on the 2pm unless you plan to be there in person (WJCN 3330). What's the call in for tomorrow's call?

Thanks,

Chad Nitsch
Acting Director of State and Regional Partnerships
Office of Congressional and Intergovernmental Relations
United States Environmental Protection Agency
202-564-4714

From: Bennett, Tate
Sent: Thursday, January 18, 2018 10:33 AM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>
Cc: Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>
Subject: RE: Please share the talking points - Animal Waste

I'm just asking you all to announce on your calls today that there is a separate call for producers at 1 tomorrow.....

From: Sands, Jeffrey
Sent: Thursday, January 18, 2018 10:30 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>
Cc: Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>
Subject: RE: Please share the talking points - Animal Waste

Unfortunately, we don't have capacity on our line to host a call of that size.

Jeff

From: Bennett, Tate
Sent: Thursday, January 18, 2018 9:41 AM
To: Nitsch, Chad <Nitsch.Chad@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>
Cc: Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: RE: Please share the talking points - Animal Waste

Can we announce there will be a separate opportunity for farmers to call in tomorrow at 1 on this call, and that Chad/ Ag Advisor's office can provide the phone number? OR, maybe we give NASDA that call in number..... of which I am STILL waiting on.

From: Nitsch, Chad

Sent: Thursday, January 18, 2018 8:33 AM

To: Bennett, Tate <Bennett.Tate@epa.gov>; Tanner, Lee <Tanner.Lee@epa.gov>

Cc: Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>

Subject: RE: Please share the talking points - Animal Waste

Good morning everyone,

Lee, I dropped by last night and spoke with Cathy. I think you'll want to work with the Office of Emergency Management (Patty and Kim) and the Ag Advisors (Jeff and Hema) office for talking points. I'm hosting the call and introducing folks, but the content will come from the program office(s). I've cc'd them on this email. Jeff, Patty, Hema, and Kim, please feel free to redirect if the most recent tps are coming from OPA or OLEM's Comms office.

Thanks Tate, I'll be at/on the 11am. I can come down too if ya'll are running into a phone capacity issue. The 2pm with ECOS+NASDA will be in OARM's Conference Room WJCN 3330. It seats about 15 around the table and 30 comfortably in the room. Most importantly, I've had good luck with their sound set up. If you plan to speak, please come to the conference room. It'll be easier to manage the call, as we're expecting 200+ participants.

Thank you,

Chad Nitsch

Acting Director of State and Regional Partnerships

Office of Congressional and Intergovernmental Relations

United States Environmental Protection Agency

202-564-4714

From: Bennett, Tate

Sent: Wednesday, January 17, 2018 6:17 PM

To: Tanner, Lee <Tanner.Lee@epa.gov>

Cc: Nitsch, Chad <Nitsch.Chad@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>

Subject: Re: Please share the talking points - Animal Waste

And you are welcome to join the call! 🖱

On Jan 17, 2018, at 6:10 PM, Tanner, Lee <Tanner.Lee@epa.gov> wrote:

Hi Chad,

Can you please send us the talking points that you used on your conference call for reporting hazardous substance releases from animal waste?

We need them for our conference call Friday.

Regards,
Lee

Lee Tanner
Public Affairs Specialist

U.S. EPA Office of the Administrator
Office of Public Engagement
1200 Pennsylvania Ave., N.W.
Washington, DC 20460
Tel: (202) 564-4988

Message

From: Michael Formica [formicam@nppc.org]
Sent: 1/18/2018 6:10:09 PM
To: Subramanian, Hema [Subramanian.Hema@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Thomas, Latosha [Thomas.Latosha@epa.gov]
CC: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: RE: Air Emissions Call

Perfect.

Thank you so much!

From: Subramanian, Hema [mailto:Subramanian.Hema@epa.gov]
Sent: Thursday, January 18, 2018 1:09 PM
To: Michael Formica <formicam@nppc.org>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Air Emissions Call

Michael – yes that is the correct #. I'm forwarding an email below from Tate Bennett with the latest information.

Tate: Can a calendar invite also be shared?

---Hema.

Hema Subramanian
Special Assistant to the Senior Advisor for Agriculture (detail)
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

From: Bennett, Tate
Sent: Thursday, January 18, 2018 10:16 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: UPDATE WITH REVISED CALL-IN #- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Importance: High

All-

Please see the below REVISED call-in information for tomorrow's call:

Conference Number / Ex. 6

- **Conference Topic- Animal Waste Emissions**
- **Date- Friday, January 19, 2018**
- **Time- 1 PM Eastern, feel free to dial-in early**

Let us know if you have any questions.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Michael Formica [<mailto:formicam@nppc.org>]
Sent: Thursday, January 18, 2018 12:57 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>; Jennings, Kim <jennings.kim@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>
Subject: Air Emissions Call

All

Just wanted to double check the phone number for tomorrow's producer call on air emissions reporting at 1pm EST.

Conference Number / Ex. 6

Please let me know. We would like to get this out to our State Execs, who will likely bear the brunt of any phone calls from confused hog farmers, this afternoon so they are better positioned to answer questions they may received.

Thanks!

Michael C. Formica
Assistant Vice President & Legal Counsel, Domestic Policy
National Pork Producers Council
202.680.3820

Message

From: Nitsch, Chad [Nitsch.Chad@epa.gov]
Sent: 1/17/2018 3:14:28 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: RE: Outreach Calls: Animal Waste

Will do, expect to send before noon.

Chad Nitsch
Acting Director of State and Regional Partnerships
Office of Congressional and Intergovernmental Relations
United States Environmental Protection Agency
202-564-4714

From: Bennett, Tate
Sent: Wednesday, January 17, 2018 10:13 AM
To: Nitsch, Chad <Nitsch.Chad@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Barbery, Andrea <Barbery.Andrea@epa.gov>
Subject: RE: Outreach Calls: Animal Waste

Let me know ASAP once we have a call in for the other two. Thank you!

From: Nitsch, Chad
Sent: Tuesday, January 16, 2018 6:46 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Barbery, Andrea <Barbery.Andrea@epa.gov>
Subject: RE: Outreach Calls: Animal Waste

Thanks Nancy. To clarify, I'm hosting a call on Thursday at 2pm with NASDA (~60 participants). My hope is that we'll also be able to invite ECOS (+~60 participants) but that will depend on teleconference capacity. Jeff is leading the call. I'll have a call-in tomorrow AM.

Thanks,

Chad Nitsch
Acting Director of State and Regional Partnerships
Office of Congressional and Intergovernmental Relations
United States Environmental Protection Agency
202-564-4714

From: Grantham, Nancy
Sent: Tuesday, January 16, 2018 5:53 PM

To: Thomas, Latosha <Thomas.Latosha@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Outreach Calls: Animal Waste

Hi Latosha,

To summarize where we are in terms of calls for Thursday, 1/18 tomorrow:

11:00 a.m. est "leaderview" call with the trade groups – (# of lines?) OLEM will lead

12:30 p.m.est "leaderview" call with OPEE stakeholders (100 lines) – OPEE will lead

Tate has requested that we get the numbers and access codes for these calls asap so notification can be made asap tomorrow.

FYI – there will also be a 2 p.m. est call with NASDA tomorrow – Chad Nitsch is leading

Please let us know if you need any further information to make this happen.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Cellular Phone / Ex. 6

From: Thomas, Latosha

Sent: Tuesday, January 16, 2018 5:49 PM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>

Subject: Outreach Calls: Animal Waste

Hi everyone,

As you know, we are hosting calls for our stakeholders that will be impacted by the new reporting requirements related to animal waste. Based on my discussions with many of you earlier, I wanted to make sure that I've captured everything in the outline below. In addition, let me know if the language that will be sent with the call invites is ok. Thanks!

Animal Waste Outreach Calls

Overview: EPA will host two (2) calls to notify stakeholders of the new requirements related to animal waste. The 1st call will include livestock trade associations + industry + state, local, tribal officials. The 2nd call will include actual members of the associations/organizations.

1st Call

When: Thursday (1/18) @10AM ET

Hosts: Patty Gioffre/Kim Jennings (OEM/RID)

Key Messages:

- Due to a recent court decision, farmers (including ranchers, livestock and/or animal operators) will soon be required to begin reporting emissions of hazardous substances from animal waste that are equal to or greater than a certain threshold when the court issues its mandate (January 22, 2017 or later).
- EPA has issued guidance that is available online to assist farmers in estimating their air releases and reporting under CERCLA for air releases of hazardous substances from animal waste at farms (EPA's website also contains EPA's preliminary interpretation of EPCRA to exclude farms that use substances in "routine agricultural operations" from reporting under EPCRA section 304).
- The Agency has provided outreach materials (PSA, social media, article, widget, etc.) that are available for your use and to help you get the word out about these new requirements.

Participants:

- Livestock Trade Associations
 - National Cattleman's Beef Association
 - Arizona Cattle Growers Association
 - National Chicken Council
 - National Council of Farmer Cooperatives
 - National Turkey Federation
 - US Poultry and Egg Association
 - United Egg Producers
 - National Pork Producers Council
 - National Pork Board
 - National Milk Producers Federation
 - Mid-Atlantic Dairy Association
 - Nisei Farmers League
 - Innovation Center for US Dairy
 - Dairy Farmers of America
 - Dairy Management Inc.
 - Livestock and Poultry Environmental Learning Center (extension agents at land grant universities)
 - Cornell PRO-DAIRY Program
- Industry
 - Seaboard Farms
 - Tyson Foods
 - National Association of State Title III Officials (NASTTPO), State Emergency Response Commissions (SERCs), Tribal Emergency Response Commissions (TERCs), Local Emergency Planning Committees (LEPCs)
 - National Association of State Departments of Agriculture
 - National Association of Clean Air Agencies – Agriculture Committee
 - American Farm Bureau Federation

- Agricultural Retailers Association (ARA)
- The Fertilizer Institute (TFI)
- National Farmers Union
- National Association of Conservation Districts (NACD)
- Enviro/NGOs
 - Sierra Club

2nd Call

When: Thursday (1/18) @2PM ET

Hosts: Tate Bennett (Patty Gioffre/Kim Jennings will participate for support)

Key Messages:

- Due to a recent court decision, farmers (including ranchers, livestock and/or animal operators) will soon be required to begin reporting emissions of hazardous substances from animal waste that are equal to or greater than a certain threshold when the court issues its mandate (January 22, 2017 or later).
- EPA has issued guidance that is available online to assist farmers in estimating their air releases and reporting under CERCLA for air releases of hazardous substances from animal waste at farms (EPA's website also contains EPA's preliminary interpretation of EPCRA to exclude farms that use substances in "routine agricultural operations" from reporting under EPCRA section 304).
- The Agency has provided outreach materials (PSA, social media, article, widget, etc.) that are available for your use and to help you get the word out about these new requirements.

Participants: Actual members of the above associations/organizations/groups

Language to be sent with invites (+ attached comms materials)

Deliberative Process / Ex. 5

ACTIONS

- OEM will send out invitations to participants of the 1st call
- OPE will send out invitations to participants of the 2nd call
- Latosha (OEM) will work with Cathy Milbourn (OPE) re: logistics for 2nd call*

*OEM should be able to handle the quantity of participants related to the 1st call since there will be less people.

Latosha Thomas
U.S. Environmental Protection Agency
OLEM/OEM/RMD

(202) 564-2621 (desk)

Cellular Phone / Ex. 6

thomas.latosha@epa.gov

Message

From: Ford, Hayley [ford.hayley@epa.gov]
Sent: 4/9/2018 10:58:28 PM
To: Abboud, Michael [abboud.michael@epa.gov]; Baptist, Erik [Baptist.Erik@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Beck, Nancy [Beck.Nancy@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Block, Molly [block.molly@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]; Bolen, Derrick [bolen.derrick@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Brown, Byron [brown.byron@epa.gov]; Burke, Marcella [burke.marcella@epa.gov]; Chancellor, Erin [chancellor.erin@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Cory, Preston (Katherine) [Cory.Preston@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Darwin, Henry [darwin.henry@epa.gov]; Darwin, Veronica [darwin.veronica@epa.gov]; Dominguez, Alexander [dominguez.alexander@epa.gov]; Dravis, Samantha [dravis.samantha@epa.gov]; Falvo, Nicholas [falvo.nicholas@epa.gov]; Feeley, Drew (Robert) [Feeley.Drew@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Ford, Hayley [ford.hayley@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]; Frye, Tony (Robert) [frye.robert@epa.gov]; Gordon, Stephen [gordon.stephen@epa.gov]; Greaves, Holly [greaves.holly@epa.gov]; Greenwalt, Sarah [greenwalt.sarah@epa.gov]; Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Hanson, Paige (Catherine) [hanson.catherine@epa.gov]; Harlow, David [harlow.david@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Hupp, Millan [hupp.millan@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]; Konkus, John [konkus.john@epa.gov]; Kunderling, Kelly [kunderling.kelly@epa.gov]; Leopold, Matt [Leopold.Matt@epa.gov]; Letendre, Daisy [letendre.daisy@epa.gov]; Lovell, Will (William) [lovell.william@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; McMurray, Forrest [mcmurray.forrest@epa.gov]; Munoz, Charles [munoz.charles@epa.gov]; Palich, Christian [palich.christian@epa.gov]; Ringel, Aaron [ringel.aaron@epa.gov]; Rodrick, Christian [rodrick.christian@epa.gov]; Ross, David P [ross.davidp@epa.gov]; Schwab, Justin [Schwab.Justin@epa.gov]; Seabaugh, Catherine [seabaugh.catherine@epa.gov]; Shimmin, Kaitlyn [shimmin.kaitlyn@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]; Wagner, Kenneth [wagner.kenneth@epa.gov]; Wehrum, Bill [Wehrum.Bill@epa.gov]; White, Elizabeth [white.elizabeth@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Woods, Clint [woods.clint@epa.gov]; Yamada, Richard (Yujiro) [yamada.richard@epa.gov]
CC: Woodward, Cheryl [Woodward.Cheryl@epa.gov]; Dickerson, Aaron [dickerson.aaron@epa.gov]; Willis, Sharnett [Willis.Sharnett@epa.gov]
Subject: Draft LxL: April 10-29, 2018
Attachments: April 10 - April 29, 2018- Draft Line X Line.pdf

See attached for draft LxL. Thanks!

Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency

ford.hayley@epa.gov

Phone: 202-564-2022

Cellular Phone / Ex. 6

Message

From: Harwood, Jackie [Harwood.Jackie@epa.gov]
Sent: 1/10/2018 2:29:03 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]
CC: Levine, Carolyn [Levine.Carolyn@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]
Subject: RE: Review Requested - Senators' Letter on CERCLA/EPCRA Reporting

Thanks Tate.

Jackie Harwood
OLEM Congressional, State, and Local Liaison
OCA/Office of Land and Emergency Management (OLEM)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

From: Bennett, Tate
Sent: Wednesday, January 10, 2018 9:28 AM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Harwood, Jackie <Harwood.Jackie@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: Re: Review Requested - Senators' Letter on CERCLA/EPCRA Reporting

Spoke with Jeff and he will relay our combined thoughts at your meeting!

On Jan 10, 2018, at 9:20 AM, Sands, Jeffrey <sands.jeffrey@epa.gov> wrote:

Hi Jackie,

I am planning on meeting with Troy at 10am this morning to discuss strategy a bit further. I will be back in touch soon.

Thanks.

Jeff

From: Harwood, Jackie
Sent: Wednesday, January 10, 2018 9:18 AM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Levine, Carolyn <Levine.Carolyn@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: FW: Review Requested - Senators' Letter on CERCLA/EPCRA Reporting
Importance: High

Hi Jeff and Tate –

Just checking back in on this. Will you be passing on any comments?

Thanks.
Jackie

Jackie Harwood
OLEM Congressional, State, and Local Liaison
OCA/Office of Land and Emergency Management (OLEM)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

From: Sands, Jeffrey
Sent: Friday, January 05, 2018 5:08 PM
To: Harwood, Jackie <Harwood.Jackie@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>
Subject: RE: Review Requested - Senators' Letter on CERCLA/EPCRA Reporting

Jackie,

Thanks for passing along. I will review this over the weekend and get back with you as quickly as possible.

I should add that we are going to USDA Monday afternoon to brief them on this issue so there may be more to add in our response on coordination with them from that meeting.

Best,
Jeff

From: Harwood, Jackie
Sent: Friday, January 5, 2018 4:19 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>
Subject: Review Requested - Senators' Letter on CERCLA/EPCRA Reporting

Hi Tate and Jeff,

Attached is a letter the Administrator received from a bipartisan group of 11 Senators from states where poultry farming is a key part of the economy. In the letter they expressed concerns they have heard from farmers in their states on the new EPCRA/CERCLA reporting requirements and EPA's guidance, and asked us to respond to four questions. I've attached what OLEM has developed so far in response to this letter—Barry Breen and OEM asked that I pass it on to you to review before we move it forward.

We understand from OCIR that Troy Lyons would like the Agency to respond to the Senators' letter as soon as possible, due to the Administrator's testimony before the Senate Environment and Public Works Committee at the end of the month. We would be grateful if you could get back to us with your thoughts and/or edits.

Please let me know if you have any questions or concerns about this.

Thank you.

Jackie

Jackie Harwood
OLEM Congressional, State, and Local Liaison
OCPA/Office of Land and Emergency Management (OLEM)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

Message

From: Thomas, Latosha [Thomas.Latosha@epa.gov]
Sent: 1/18/2018 3:58:22 PM
To: Subramanian, Hema [Subramanian.Hema@epa.gov]
CC: Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Nitsch, Chad [Nitsch.Chad@epa.gov]
Subject: Re: EPA Animal Waste Reporting Outreach Call with Stakeholders

6528 North

Latosha Thomas
U.S. Environmental Protection Agency
OLEM/OEM/RMD
(202) 564-2621(desk)

Cellular Phone / Ex. 6

thomas.latosha@epa.gov

On Jan 18, 2018, at 10:55 AM, Subramanian, Hema <Subramanian.Hema@epa.gov> wrote:

Is there a HQ conf room?

Hema Subramanian
Special Assistant to the Senior Advisor for Agriculture (detail)
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

From: Thomas, Latosha
Sent: Thursday, January 18, 2018 10:48 AM
To: Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; jklippenstein@dfamilk.com; barbara.obrien@rosedmi.com; cwoodall@beef.org; pauls@fb.org; bpatterson@nfudc.org; ijonker@nmpf.org; apeterson@chickenusa.org; dwells@turkeyfed.org; astokes@pork.org; davisb@nppc.org; kbryan@unitedegg.com; pbredwell@uspoultry.org; dairyspot@milk4u.org; innovationcenter@usdairy.com; tammy.dennee@oregondairyfarmers.org; richard@aradc.org; ethomas@tfr.org; christinegeith@extension.org; barb@nasda.org; mkeogh@4cleanair.org; Cheatham, Reggie <cheatham.reggie@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Barbery, Andrea <Barbery.Andrea@epa.gov>; crichter@thepolicygroup.com; Andrew Walmsley <andrew@fb.org>; clehn@niseifarmersleague.com; Clay Detlefsen <cdetlefsen@nmpf.org>; tom.hebert@bayardridge.com; Scott Yager <syager@beef.org>; Michael Formica <formicam@nppc.org>; christopher_eyestone@seaboardcorp.com; courtney.bourgoin@sierraclub.org; baja@arizonabeef.org; pbray@arizonabeef.org

Cc: tgablehouse@gcgllc.com; Danielle Quist <danielleg@fb.org>; Hinda Mitchell <Hinda@InspirePRGroup.com>; Lisa Wallenda Picard <lpicard@turkeyfed.org>; Leslee Oden <LOden@turkeyfed.org>; Keith Williams <KeithWilliams@turkeyfed.org>; Tesoriero, Richard <Richard_Tesoriero@seaboardcorp.com>; Green, Ryan <ryan.green@nebraska.gov>; David Warner <warnerd@nppc.org>; Phillip Assmus <passmus@4cleanair.org>; Sharpe, Kristinn <Sharpe.Kristinn@epa.gov>; Heinemann, Kristina <Heinemann.Kristina@epa.gov>; Mortensen, Ginah <mortensen.ginah@epa.gov>; Frahm, Chad <Chad.Frahm@dairy.org>; Perrin, Rebecca <Perrin.Rebecca@epa.gov>; Regional Public Affairs Directors <Regional_Public_Affairs_Directors@epa.gov>; Lincoln, Larry <Lincoln.Larry@epa.gov>; Robertson, Duane <Robertson.Duane@epa.gov>; Weeks, Victor <weeks.victor@epa.gov>; Mutter, Andrew <mutter.andrew@epa.gov>; D'Andrea, Michael <DANDREA.MICHAEL@EPA.GOV>; Philip, Jeffrey <Philip.Jeff@epa.gov>; Miller, Amy <Miller.Amy@epa.gov>

Subject: RE: EPA Animal Waste Reporting Outreach Call with Stakeholders

Hi All,

Just another reminder to please consolidate in conference rooms/offices if possible, so that we can limit the number of lines needed for this call. We want to make sure we don't run into a potential capacity issue. Also, please remember to mute your line while you're not speaking or asking a question. Thanks! Talk to you soon!

-----Original Appointment-----

From: Thomas, Latosha

Sent: Wednesday, January 17, 2018 10:39 AM

To: Thomas, Latosha; Gioffre, Patricia; Jennings, Kim; Bennett, Tate; Grantham, Nancy; jklippenstein@dfamilk.com; barbara.obrien@rosedmi.com; cwoodall@beef.org; pauls@fb.org; bpatterson@nfudc.org; jjonker@nmpf.org; apeterson@chickenusa.org; dwells@turkeyfed.org; astokes@pork.org; davisb@nppc.org; kbryan@unitedegg.com; pbredwell@uspoultry.org; dairyspot@milk4u.org; innovationcenter@usdairy.com; tammy.dennee@oregondairyfarmers.org; richard@aradc.org; ethomas@tfl.org; christinegeith@extension.org; barb@nasda.org; mkeogh@4cleanair.org; Cheatham, Reggie; Clark, Becki; Indermark, Michele; Colip, Matthew; Lowery, Brigid; Benjamin, Kent; Nitsch, Chad; Levine, Carolyn; Janifer, Pamela; Sands, Jeffrey; Subramanian, Hema; Richardson, RobinH; Bowles, Jack; Barbery, Andrea; crichter@thepolicygroup.com; Andrew Walmsley; clehn@niseifarmersleague.com; Clay Detlefsen; tom.hebert@bayardridge.com; Scott Yager; Michael Formica; christopher_eyestone@seaboardcorp.com; courtney.bourgoin@sierraclub.org; baja@arizonabeef.org; pbray@arizonabeef.org

Cc: tgablehouse@gcgllc.com; Danielle Quist; Hinda Mitchell; Lisa Wallenda Picard; Leslee Oden; Keith Williams; Tesoriero, Richard; Green, Ryan; David Warner; Phillip Assmus; Sharpe, Kristinn; Heinemann, Kristina; Mortensen, Ginah; Frahm, Chad; Perrin, Rebecca; Regional Public Affairs Directors; Lincoln, Larry; Robertson, Duane; Weeks, Victor; Mutter, Andrew; D'Andrea, Michael; Philip, Jeffrey; Miller, Amy

Subject: EPA Animal Waste Reporting Outreach Call with Stakeholders

When: Thursday, January 18, 2018 11:00 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).

Conference Number / Ex. 6

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period. The purpose of this call is to provide an overview and basic information for our stakeholders who are impacted by this new requirement.

The number of lines is limited, so it is recommend that participants consolidate call-in location if possible. Also, please remember to place your phone on mute while you're not speaking or asking a question. Thanks!

Message

From: Taylor, Trish [Taylor.Trish@epa.gov]
Sent: 10/11/2017 9:31:30 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: RE: Draft communications plan for the CERCLA EPCRA reporting requirements
Attachments: DRAFT Desk Statement on Animal Waste Emissions Guidance 10-11-17.docx

Hi Tate,

OPA is currently reviewing a draft news briefing and desk statement (attached) but no TPs. Once finalized, we'll have Q&As to accompany the guidance.

Thanks,
Trish

From: Bennett, Tate
Sent: Wednesday, October 11, 2017 5:13 PM
To: Taylor, Trish <Taylor.Trish@epa.gov>
Subject: Re: Draft communications plan for the CERCLA EPCRA reporting requirements

Hey Trish! Do you have any talking points already developed on this? Thank you!

Sent from my iPad

On Oct 4, 2017, at 3:44 PM, Taylor, Trish <Taylor.Trish@epa.gov> wrote:

Sure. I have a 4 pm mtg, but will be in the office until 6 pm tonight, and back in tomorrow 8:30 am.

From: Bennett, Tate
Sent: Wednesday, October 04, 2017 3:29 PM
To: Taylor, Trish <Taylor.Trish@epa.gov>
Cc: Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: Re: Draft communications plan for the CERCLA EPCRA reporting requirements

This looks complete to me. Can I give you a quick call on this later today? I just have a few pedestrian questions.

On Oct 4, 2017, at 2:02 PM, Taylor, Trish <Taylor.Trish@epa.gov> wrote:

Hi Tate,

Attached is a draft communications plan that includes a ListServ of potential ag stakeholders.

OLEM DAA Patrick Davis suggested that I share the list with you to see if you may have additional names/groups to include in our planned outreach regarding upcoming reporting regs. We've been working with subject matter experts in the Office of Emergency Management (OEM) and OPA has been provided the draft comms plan for review/approval.

Please let me know if you have any questions or concerns.
Thank you,

Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

From: Taylor, Trish

Sent: Tuesday, October 03, 2017 6:31 PM

To: Breen, Barry <Breen.Barry@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>

Cc: Benjamin, Kent <Benjamin.Kent@epa.gov>; Klinger, Adam
<Klinger.Adam@epa.gov>; Brooks, Becky <Brooks.Bekky@epa.gov>

Subject: Draft communications plan for the CERCLA EPCRA reporting requirements

Hi Barry and Patrick,

Attached is the draft communications plan for the CERCLA / EPCRA reporting requirements for air releases of hazardous substances from animal waste at farms guidance.

It has been reviewed/approved by RID Division Director, K. Jennings.

OEM is currently working on the communications materials which will include a draft press release, desk statement, webpage update and Q&As.

- The press release mentioned in the plan would be targeted specifically to ag outlets only.
- OEM/ OGC are currently revising the draft Q&As.

Per your suggestion, once you have reviewed/approved the comms plan, I can share with Tate Bennett, to make sure we are not missing any key groups from our ListServ and then move it forward to OPA for input.

Please let me know if you have any questions or concerns.

Thank you,

Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

<DRAFT Comm Plan for Animal Waste Emissions Guidance 10-3-17
(v.2).docx>

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 11/28/2017 8:24:33 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]
Subject: Re: Updated CERCLA Release

Will do thx ng

Sent from my iPhone

On Nov 28, 2017, at 3:24 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Here is the final CERCLA reporting release from last week's court decision. Can you get this posted/out? Thank you – Liz

DC Circuit Court Grants Trump EPA Request to Extend Deadline for Farmers to Report Emissions from Livestock Operations

(WASHINGTON) — On Wednesday, November 22, 2017, in response to a request from the Trump administration EPA, the DC Circuit Court of Appeals effectively extended the deadline for farmers to report air releases of hazardous substances from animal waste at livestock operations until January 22, 2018. The decision postponed the effective date of the Court's April 2017 decision vacating an EPA rule that exempted these farms from certain statutory reporting obligations.

"EPA is committed to providing America's farmers and ranchers – people committed to conserving the land and the environment- the clarity needed in meeting their reporting obligations required by law," said **EPA Administrator Scott Pruitt**.

Under the Trump Administration, EPA sought this additional time in order to provide compliance assistance to farmers, update its guidance, and develop a more-streamlined reporting form. With the Court's decision, farmers are not required to report emissions from animal waste at these facilities until after the Court issues its mandate, expected no sooner than January 22, 2018.

Background:

On April 11, 2017, the DC Circuit Court vacated an EPA rule finalized on December 18, 2008, that exempted most farms from certain release reporting requirements in two statutes, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right to Know Act (EPCRA).

In response to a request from the Trump Administration EPA, the DC Circuit Court extended the effective date of its decision to vacate the 2008 rule to November 15, 2017. In response to a second request from the current administration EPA, the DC Circuit Court further extended that date to January 22, 2018. As such, farmers now do not need to report emissions under CERCLA until January 22, 2018 at the earliest when the D.C. Circuit Court is expected to issue its mandate.

EPA has prepared guidance that includes links to resources that farmers can consider when calculating emissions for specific species of livestock.

To view EPA's guidance and Frequently Asked Questions on reporting air emissions from animal waste: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>.

###

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Message

From: Thomas, Latosha [Thomas.Latosha@epa.gov]
Sent: 1/17/2018 2:28:51 PM
To: Roache, Brendan [Roache.Brendan@epa.gov]
CC: Milbourn, Cathy [Milbourn.Cathy@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]
Subject: RE: Operator Assisted Call
Attachments: RE: Outreach Calls: Animal Waste

Importance: High

Hi Brendan,

As I mentioned yesterday, we are having two outreach calls related to animal waste (stakeholders impacted by the new reporting requirements). The first call will be led by Patty/Kim, and the second call will be led by Tate Bennett (Associate Administrator for the Office of Public Engagement and Education). The second call is focused on the actual members of the impacted associations/organizations. Because of the high volume, OPEE will need financial resources from OLEM to make this happen. Please see below. I've also attached the email I sent yesterday to outline the calls. You'll probably have questions, so please let me know. Thanks!

From: Milbourn, Cathy
Sent: Wednesday, January 17, 2018 9:14 AM
To: Thomas, Latosha <Thomas.Latosha@epa.gov>
Subject: Fwd: Operator Assisted Call

Sent from my iPhone

Begin forwarded message:

From: "Valliere, Natalie" <Valliere.Natalie@epa.gov>
Date: January 16, 2018 at 3:04:47 PM EST
To: "Milbourn, Cathy" <Milbourn.Cathy@epa.gov>, "Gage, Sherie" <Gage.Sherie@epa.gov>
Cc: "Tanner, Lee" <Tanner.Lee@epa.gov>, "Dewey, Amy" <Dewey.Amy@epa.gov>, "Stewart-Downer, Sherry" <Stewart-Downer.Sherry@epa.gov>
Subject: RE: Operator Assisted Call

Hello Cathy,

The estimated would be \$1,663.26.

100 x 60 x .21 = \$1,260

+ FTP = \$33

+ Participant Report = \$60

+ Leaders View per event = \$200

Total = \$1,553

+ WCF fee = 7.1% + \$110.26

Estimated Total \$1,663.26

Natalie Valliere
Conferencing Support Technician
US EPA – End User Services/Contractor
O: Call Center 866-411-4372 Option 5
Audio-teleconf@epa.gov
Valliere.natalie@epa.gov
www.ecs-federal.com
Team SAIC Redefining Ingenuity™

From: Milbourn, Cathy
Sent: Tuesday, January 16, 2018 2:56 PM
To: Valliere, Natalie <Valliere.Natalie@epa.gov>; Gage, Sherie <Gage.Sherie@epa.gov>
Cc: Tanner, Lee <Tanner.Lee@epa.gov>; Dewey, Amy <Dewey.Amy@epa.gov>; Stewart-Downer, Sherry <Stewart-Downer.Sherry@epa.gov>
Subject: RE: Operator Assisted Call
Importance: High

Hi Natalie,

The MP3 is best—given that, we would not need a transcript – so the total would be \$1,683—is that correct? (math is not my strong suit!)

From: Valliere, Natalie
Sent: Tuesday, January 16, 2018 2:53 PM
To: Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Gage, Sherie <Gage.Sherie@epa.gov>
Cc: Tanner, Lee <Tanner.Lee@epa.gov>; Dewey, Amy <Dewey.Amy@epa.gov>; Stewart-Downer, Sherry <Stewart-Downer.Sherry@epa.gov>
Subject: RE: Operator Assisted Call

Hello Cathy,

The is a 7.1% WCF fee also. Please see cost sheet attached.

FTP is one of two ways in which EPA offers to send a file of a conference recording to you via digital, immediate access. The file type can be offered in MP3 or WAV.

100 x 60 x .21 = \$1,260

+ FTP = \$33

+ Transcript 70 x 4 = \$280

+ Participant Report = \$60

+ Leaders View per event = \$200

+ WCF fee = 7.1% + \$130.14

Estimated Total \$1,963.14

I saw that you minus the transcript -\$280; however, if you added the transcript the estimated cost would be \$1,833. The total estimated cost with the 7.1% WCF fee is **\$1963.14**. If you decide not to keep the transcript the estimated total would be **\$1663.26**, which includes that WCF fee.

Please let me know if you have anymore questions

Natalie Valliere

Conferencing Support Technician

US EPA – End User Services/Contractor

O: Call Center 866-411-4372 Option 5

Audio-teleconf@epa.gov

Valliere.natalie@epa.gov

www.ecs-federal.com

Team SAIC Redefining Ingenuity™

From: Valliere, Natalie

Sent: Tuesday, January 16, 2018 11:21 AM

To: Stewart-Downer, Sherry <Stewart-Downer.Sherry@epa.gov>; Gage, Sherie <Gage.Sherie@epa.gov>

Cc: Group Audio-Teleconf <Audio-Teleconf@epa.gov>

Subject: RE: Operator Assisted Call

Hello,

Please see below with feature cost.

Walk through – No charge

Test Call – 21. cents per line per minute

FTP – \$33

Encore- .12 cent per mintue

CD- \$33

Transcription-

Rec'd in 3 hrs. (T-RUSH) - **\$110 per 15min**, Rec'd in 12 hrs. (TU) **\$90 per 15min**

Rec'd in 24 hrs. (TE) \$70 per 15min / Rec'd in 48 hrs.(TH) \$60 per 15min

Question & Answer Session- No Charge

Lecture Mode- No Charge

Communication Line- No Charge

Participants Report- You are able to select any catogory.

Basic (FC) = \$20.00 (First/last and connect time)

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Premium (F2) = \$60.00 (First/last name, numbers, connect time and organization)

Leaders View - \$200 per event

If you have any questions, please feel free to contact our office.

Thank you,

Natalie Valliere

Conferencing Support Technician

US EPA – End User Services/Contractor

O: Call Center 866-411-4372 Option 5

Audio-teleconf@epa.gov

Valliere.natalie@epa.gov

www.ecs-federal.com

Team SAIC Redefining Ingenuity™

Catherine C. Milbourn
Public Liaison Specialist
Office of the Administrator
U.S. EPA HQ
Washington, D.C.
202-564-7849 (office)

Cellular Phone / Ex. 6

Message

From: Subramanian, Hema [Subramanian.Hema@epa.gov]
Sent: 1/17/2018 1:56:21 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]
CC: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: RE: ECPRA CERCLA Ag

<!--[if lte mso 15 || CheckWebRef]-->

Subramanian, Hema has shared a OneDrive for Business file with you. To view it, click the link below.

 OLEM_FINAL_Animal Waste Press Release_HS.docx

<!--[endif]-->

Thanks for sharing, Nancy.

Tate: I can help with your question. The poultry folks don't feel included under the term "livestock" (which refers to "four-leggers"), so the associations agreed on using "animal" instead for cross-species programs. (Thus, the "Animal Agriculture Discussion Group", which used to be called the "Livestock Discussion Group".)

Deliberative Process / Ex. 5

Hope this helps,
---Hema.

Hema Subramanian
Special Assistant to the Senior Advisor for Agriculture (detail)
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

From: Grantham, Nancy
Sent: Tuesday, January 16, 2018 9:24 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: ECPRA CERCLA Ag

Thx will do

Sent from my iPhone

On Jan 16, 2018, at 9:02 PM, Sands, Jeffrey <sands.jeffrey@epa.gov> wrote:

Thanks Nancy,

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Jeff

Sent from my iPhone

On Jan 16, 2018, at 8:46 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

Please let us know of any edits or comments thx ng

Sent from my iPhone

Begin forwarded message:

From: "Benjamin, Kent" <Benjamin.Kent@epa.gov>
Date: January 16, 2018 at 5:13:37 PM EST
To: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Cc: "Lowery, Brigid" <Lowery.Brigid@epa.gov>, "Colip, Matthew" <colip.matthew@epa.gov>
Subject: ECPRA CERCLA Ag

Nancy,
Here is the final press release for the Animal Waste issue.

Kent A. Benjamin, M.S., Dep. Office Director
Office of Communications, Partnerships and Analysis
Office of Land and Emergency Management
Tel. 202-564-9095; **Cellular Phone / Ex. 6**
Email: benjamin.kent@epa.gov
FOLLOW OLEM on Twitter @EPALand
"There is a difference between planning and preparing."

<OLEM_FINAL_Animal Waste Press Release.docx>

Message

From: Darwin, Veronica [darwin.veronica@epa.gov]
Sent: 11/22/2017 9:23:42 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]
CC: Davis, Patrick [davis.patrick@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Taylor, Trish [Taylor.Trish@epa.gov]; Colip, Matthew [colip.matthew@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Clark, Becki [Clark.Beki@epa.gov]
Subject: FW: CERCLA/EPCRA revised draft communications materials
Attachments: DRAFT News Brief on Animal Waste Emissions guidance 10 24 17.docx; DRAFT Desk Statement on Animal Waste Emissions guidance 10 24 17 OLEM .docx

Attached is the last draft of the press release (and desk statement) I have. Not sure if there were changes made to this draft.

Veronica

From: Taylor, Trish
Sent: Tuesday, October 24, 2017 6:05 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
Cc: Brooks, Becky <Brooks.Beky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Klinger, Adam <Klinger.Adam@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>; Hull, George <Hull.George@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>
Subject: RE: CERCLA/EPCRA revised draft communications materials

Hi Nancy,

Attached are the revised comms materials. Acting AA Barry Breen has reviewed/approved the press release. We hope to post the Ag guidance on the webpage tomorrow, Wed. Oct 25th.

Please let me know if you have any questions.
I'll be in the office for another 20 mins or so, and back in tomorrow 8:30 a.m.

Thanks so much,
Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 11/28/2017 8:22:24 PM
To: Fotouhi, David [Fotouhi.David@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]
CC: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: RE: For Approval: Updated CERCLA Release

Awesome, thanks – sending now.

From: Fotouhi, David
Sent: Tuesday, November 28, 2017 3:12 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: For Approval: Updated CERCLA Release

I'm good with this version. Thanks!

David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Bowman, Liz
Sent: Tuesday, November 28, 2017 3:08 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: For Approval: Updated CERCLA Release

I think this looks good now; does this work for you all? Please let me know if you have any last edits. If not, we will get this tee'd up and ready to go out shortly. Thank you – Liz

DC Circuit Court Grants Trump EPA Request to Extend Deadline for Farmers to Report Emissions from Livestock Operations

(WASHINGTON) — On Wednesday, November 22, 2017, in response to a request from the Trump administration EPA, the DC Circuit Court of Appeals effectively extended the deadline for farmers to report air releases of hazardous substances from animal waste at livestock operations until January 22, 2018. The decision postponed the effective date of the Court's April 2017 decision vacating an EPA rule that exempted these farms from certain statutory reporting obligations.

"EPA is committed to providing America's farmers and ranchers – people committed to conserving the land and the environment- the clarity needed in meeting their reporting obligations required by law," said **EPA Administrator Scott Pruitt**.

Under the Trump Administration, EPA sought this additional time in order to provide compliance assistance to farmers, update its guidance, and develop a more-streamlined reporting form. With the Court's decision, farmers are not

required to report emissions from animal waste at these facilities until after the Court issues its mandate, expected no sooner than January 22, 2018.

Background:

On April 11, 2017, the DC Circuit Court vacated an EPA rule finalized on December 18, 2008, that exempted most farms from certain release reporting requirements in two statutes, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right to Know Act (EPCRA).

In response to a request from the Trump Administration EPA, the DC Circuit Court extended the effective date of its decision to vacate the 2008 rule to November 15, 2017. In response to a second request from the current administration EPA, the DC Circuit Court further extended that date to January 22, 2018. As such, farmers now do not need to report emissions under CERCLA until January 22, 2018 at the earliest when the D.C. Circuit Court is expected to issue its mandate.

EPA has prepared guidance that includes links to resources that farmers can consider when calculating emissions for specific species of livestock.

To view EPA's guidance and Frequently Asked Questions on reporting air emissions from animal waste: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>.

###

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Message

From: Sands, Jeffrey [sands.jeffrey@epa.gov]
Sent: 11/28/2017 7:36:00 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]
Subject: RE: DF edits to DC Circuit Court Grants Trump EPA Request to Extend Deadline for Farmers to Report Emissions from Animal Waste.docx
Attachments: DF edits to DC Circuit Court Grants Trump EPA Request to Extend Deadline....docx

Thanks Tate. Your edits below are incorporated into the attached as well as a few others.

I'll defer to the David on the doable as he is more aware of those sensitivities.

From: Bennett, Tate
Sent: Tuesday, November 28, 2017 1:02 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: RE: DF edits to DC Circuit Court Grants Trump EPA Request to Extend Deadline for Farmers to Report Emissions from Animal Waste.docx

In a nutshell, farmers are still going to have to report but the stay delays when they have to report from November 15th to January 22nd at the earliest.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

DC Circuit Court Grants Trump EPA Request to Extend Deadline for Farmers to Report Emissions from Livestock Emissions

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Bowman, Liz

Sent: Tuesday, November 28, 2017 12:52 PM

To: Fotouhi, David <Fotouhi.David@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>

Cc: Bennett, Tate <Bennett.Tate@epa.gov>

Subject: DF edits to DC Circuit Court Grants Trump EPA Request to Extend Deadline for Farmers to Report Emissions from Animal Waste.docx

Attorney Client / Ex. 5

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 11/28/2017 7:34:15 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]
Subject: RE: DF edits to DC Circuit Court Grants Trump EPA Request to Extend Deadline for Farmers to Report Emissions from Animal Waste.docx

I think this works, if David and Jeff agree

From: Bennett, Tate
Sent: Tuesday, November 28, 2017 1:02 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: RE: DF edits to DC Circuit Court Grants Trump EPA Request to Extend Deadline for Farmers to Report Emissions from Animal Waste.docx

In a nutshell, farmers are still going to have to report but the stay delays when they have to report from November 15th to January 22nd at the earliest.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

DC Circuit Court Grants Trump EPA Request to Extend Deadline for Farmers to Report Emissions from Livestock Emissions

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Bowman, Liz

Sent: Tuesday, November 28, 2017 12:52 PM

To: Fotouhi, David <Fotouhi.David@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>

Cc: Bennett, Tate <Bennett.Tate@epa.gov>

Subject: DF edits to DC Circuit Court Grants Trump EPA Request to Extend Deadline for Farmers to Report Emissions from Animal Waste.docx

Attorney Client / Ex. 5

Message

From: Cain, Joe [Joe.Cain@kyfb.com]
Sent: 1/18/2018 3:22:20 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Re: UPDATE WITH REVISED CALL-IN #- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Yes. I am going to reach out to our poultry, pork, dairy and beef folks specifically.

Take care,

Joe Cain
Director, Commodity Division
Kentucky Farm Bureau Federation
P.O. Box 20700
Louisville, KY 40250-0700
Office: 502-495-7738

Cellular Phone / Ex. 6

Sent from my iPhone

On Jan 18, 2018, at 10:20 AM, Bennett, Tate <Bennett.Tate@epa.govmailto:Bennett.Tate@epa.gov> wrote:

Can you send this out to your producers?

From: Rollins, Blake - OSEC, Washington, DC [mailto:Blake.Rollins@osec.usda.gov]
Sent: Thursday, January 18, 2018 10:18 AM
To: Bennett, Tate <Bennett.Tate@epa.govmailto:Bennett.Tate@epa.gov>
Subject: Re: UPDATE WITH REVISED CALL-IN #- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Thanks. Is this call with stakeholders?
Sent from my iPhone

On Jan 18, 2018, at 9:16 AM, Bennett, Tate <Bennett.Tate@epa.govmailto:Bennett.Tate@epa.gov> wrote:
All-

Please see the below REVISED call-in information for tomorrow's call:

Conference Number / Ex. 6

Conference Topic- Animal Waste Emissions

Date- Friday, January 19, 2018

Time- 1 PM Eastern, feel free to dial-in early

Let us know if you have any questions.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.govmailto:Bennett.Tate@epa.gov

From: Bennett, Tate
Sent: Wednesday, January 17, 2018 6:04 PM

To: Bennett, Tate <Bennett.Tate@epa.gov<mailto:Bennett.Tate@epa.gov>>
Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Importance: High

All-

In order to accommodate additional phone lines, we will be updating the call-in information, including the phone number. Please be on the lookout for an e-mail from me with updated call-in information for Friday's call either tonight or tomorrow.

This call will still take place at the scheduled time, Friday, 1/19 at 1 PM Eastern.

Thanks for your patience.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov<mailto:Bennett.Tate@epa.gov>

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Message

From: Bodine, Susan [bodine.susan@epa.gov]
Sent: 1/9/2018 7:59:25 PM
To: Sands, Jeffrey [sands.jeffrey@epa.gov]; Palich, Christian [palich.christian@epa.gov]; Frye, Tony (Robert) [frye.robert@epa.gov]
CC: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: RE: Review Requested - Senators' Letter on CERCLA/EPCRA Reporting
Attachments: AL 18 000 2865 Draft Reply 1-4-2018 v5 CLEAN 1-5-18 spb edits.docx

Can we put it on them to find a solution?

From: Sands, Jeffrey
Sent: Friday, January 5, 2018 5:12 PM
To: Bodine, Susan <bodine.susan@epa.gov>; Palich, Christian <palich.christian@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Review Requested - Senators' Letter on CERCLA/EPCRA Reporting

All,

Just received this note and wanted to be sure that you saw this draft response to the Senate from OLEM. Any thoughts feedback you would have are appreciated.

Have a nice weekend.

Best,
Jeff

From: Harwood, Jackie
Sent: Friday, January 5, 2018 4:19 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>
Subject: Review Requested - Senators' Letter on CERCLA/EPCRA Reporting

Hi Tate and Jeff,

Attached is a letter the Administrator received from a bipartisan group of 11 Senators from states where poultry farming is a key part of the economy. In the letter they expressed concerns they have heard from farmers in their states on the new EPCRA/CERCLA reporting requirements and EPA's guidance, and asked us to respond to four questions. I've attached what OLEM has developed so far in response to this letter—Barry Breen and OEM asked that I pass it on to you to review before we move it forward.

We understand from OCIR that Troy Lyons would like the Agency to respond to the Senators' letter as soon as possible, due to the Administrator's testimony before the Senate Environment and Public Works Committee at the end of the month. We would be grateful if you could get back to us with your thoughts and/or edits.

Please let me know if you have any questions or concerns about this.

Thank you.

Jackie

Jackie Harwood
OLEM Congressional, State, and Local Liaison
OCPA/Office of Land and Emergency Management (OLEM)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

Message

From: Jennings, Kim [Jennings.Kim@epa.gov]
Sent: 1/18/2018 3:17:38 PM
To: Subramanian, Hema [Subramanian.Hema@epa.gov]; Thomas, Latosha [Thomas.Latosha@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Colip, Matthew [colip.matthew@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]
Subject: RE: EPRCA Reporting for Farms

Hi all,

The resources are not outreach materials, they are resources developed by other entities (i.e. universities, trade associations, etc.) to assist farm owners and operators in estimating their releases. They were not developed by EPA, however, since EPA does not yet have the methodologies for farm owners and operators to use and these owners and operators are going to be required to report on Monday, we worked with trade associations and other stakeholders to identify potential resources which may assist them in determining whether they have a reportable release. We cannot revise or adjust studies or worksheets developed by outside entities. We can only provide the resources and suggest they contact their trade associations or state ag folks to assist them.

Thanks,
Kim

Kim Jennings
Division Director || Regulations Implementation Division
U.S. Environmental Protection Agency || Office of Emergency Management
E-mail: jennings.kim@epa.gov || Desk: (202) 564-7998 ||

From: Subramanian, Hema
Sent: Thursday, January 18, 2018 9:32 AM
To: Thomas, Latosha <Thomas.Latosha@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>
Subject: RE: EPRCA Reporting for Farms

Deliberative Process / Ex. 5

Hema Subramanian
Special Assistant to the Senior Advisor for Agriculture (detail)
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

From: Thomas, Latosha
Sent: Thursday, January 18, 2018 9:21 AM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Gioffre, Patricia

<Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>

Subject: RE: EPRCA Reporting for Farms

Hi All,

It seems like this is the question that is being asked. Please let me know if you have any comments by 12PM today. I'll send to OGC for review once I get comments from you all. Thanks!

Deliberative Process / Ex. 5

From: Grantham, Nancy

Sent: Wednesday, January 17, 2018 4:27 PM

To: Sands, Jeffrey <sands.jeffrey@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>

Cc: Colip, Matthew <colip.matthew@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>

Subject: FW: EPRCA Reporting for Farms

All – see below from Region 1 – and let us know your thoughts on how we could help the region address.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Cellular Phone / Ex. 6

From: Melanson, Kate

Sent: Wednesday, January 17, 2018 1:16 PM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>

Cc: Gutro, Doug <Gutro.Doug@epa.gov>

Subject: RE: EPRCA Reporting for Farms

She is a senior dairy staffer at VT Ag. and Markets

From: Grantham, Nancy
Sent: Wednesday, January 17, 2018 1:14 PM
To: Melanson, Kate <Melanson.Kate@epa.gov>
Cc: Gutro, Doug <Gutro.Doug@epa.gov>
Subject: RE: EPRCA Reporting for Farms

Thanks .. what agency is this person from? Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Cellular Phone / Ex. 6

From: Melanson, Kate
Sent: Wednesday, January 17, 2018 1:13 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Gutro, Doug <Gutro.Doug@epa.gov>
Subject: FW: EPRCA Reporting for Farms

Hi Nancy –

Note from Vermont Ag, with a CC to Senator Leahy's office.

From: Bothfeld, Diane [<mailto:Diane.Bothfeld@vermont.gov>]
Sent: Wednesday, January 17, 2018 7:21 AM
To: Melanson, Kate <Melanson.Kate@epa.gov>
Cc: Berry, Tom (Leahy) <Tom_Berry@leahy.senate.gov>
Subject: RE: EPRCA Reporting for Farms

Kate,

I know you are trying but I find this all confusing and not overly helpful. With all the disclaimer language in these documents – I could not in good faith tell a farmer what to do with this. It is not clear what are the limits on ammonia and hydrogen sulfide on the worksheet or anywhere else in the document.

The numbers should be clear and upfront so famers can make the calculations and determine if they need to go further or not. I know there are several other factors but I cannot finds how a farmer would determine what other factors would be involved beyond the calculation for dairy farms. So how could a farmer verify or not any numbers or the need to register or not.

Sorry to say – this material is not overly useful to me and I have an idea what is going on. So farmers who have no idea what you are asking will not be well served by these documents.

Keep trying would be my advice.

Diane

From: Melanson, Kate [<mailto:Melanson.Kate@epa.gov>]

Sent: Wednesday, January 17, 2018 7:04 AM

To: Bothfeld, Diane <Diane.Bothfeld@vermont.gov>

Subject: EPRCA Reporting for Farms

Good Morning Diane –

The revised factsheet and website came out yesterday afternoon.

The link to site is - <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>

There are also worksheets to help farmers calculate if they need to report here - <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms#Resources>

I've attached the Dairy Farm worksheet as well as the updated factsheet.

Please let me know if you have any questions.

Thank you!

-Kate

Kate Melanson

U.S. Environmental Protection Agency

617-918-1491

melanson.kate@epa.gov

Message

From: Lyons, Troy [lyons.troy@epa.gov]
Sent: 1/20/2018 2:20:59 AM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Re: CERCLA/EPCRA Animal Waste Calls

Great job.

Sent from my iPhone

On Jan 19, 2018, at 9:08 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

All-

Given the January 22 court mandate deadline is Monday, we wanted to send around an outreach recap from this week on CERCLA/EPCRA emissions. In addition to briefing and providing one-pagers to Capitol Hill and USDA, EPA released a PSA through via our regional offices and also conducted 3 different conference calls with 1) NASDA 2) D.C.-Based Ag Trades and 3) 250+ producers and their in-state trades. We thought you might be interested in seeing the participant list from the latter call (below), as these are the folks impacted directly by the reporting requirements. On all of these calls, we assured listeners that the Administration is working on dual tracks to provide farmers and ranchers with a long-term solution (both regulatory and by supporting bipartisan Congressional efforts), and we also provided them with best-practices advice for the interim.

EPA has requested another stay of the mandate (outcome TBD). As previously suggested, EPA is working on a long-term regulatory solution and is also supporting existing Congressional legislative efforts. Folks cc'd on here can answer any additional questions you may have.

Thanks!

-Tate

IN-STATE CALL PARTICIPANTS (250+)

- <!--[if !supportLists]--><!--[endif]-->LEWIS CO SOIL & WATER
- <!--[if !supportLists]--><!--[endif]-->MINNESOTA FARM BUREAU
- <!--[if !supportLists]--><!--[endif]-->ARIZONA FARM BUREAU
- <!--[if !supportLists]--><!--[endif]-->NUTRIENT ADVISORS
- <!--[if !supportLists]--><!--[endif]-->MS FARM BUREAU EAU FEDERATION
- <!--[if !supportLists]--><!--[endif]-->NC PORK COUNCIL
- <!--[if !supportLists]--><!--[endif]-->PA CATTLEMAN ASSOCIATION
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Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: McMurray, Forrest [mcmurray.forrest@epa.gov]
Sent: 11/16/2017 3:13:06 PM
To: Hupp, Millan [hupp.millan@epa.gov]
CC: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: FW: Invitation for Administrator Pruitt

Copying Millan!

From: Bennett, Tate
Sent: Thursday, November 16, 2017 8:54 AM
To: McMurray, Forrest <mcmurray.forrest@epa.gov>
Subject: Re: Invitation for Administrator Pruitt

I have a 2 :(

On Nov 16, 2017, at 8:43 AM, McMurray, Forrest <mcmurray.forrest@epa.gov> wrote:

Hey good morning. I have a walkthrough for tomorrow's Fed Soc meeting at 1pm today. Any chance we could push the call to 2 or 2:30? If not I can just stop by later this afternoon and get the update.

From: Bennett, Tate
Sent: Wednesday, November 15, 2017 6:36 PM
To: Miller, Sara <smille1@michfb.com>; McMurray, Forrest <mcmurray.forrest@epa.gov>
Subject: RE: Invitation for Administrator Pruitt

Coping Forrest so he can join me as well. You too!

From: Miller, Sara [mailto:smille1@michfb.com]
Sent: Wednesday, November 15, 2017 6:30 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Invitation for Administrator Pruitt

Great! We will talk to you at 1:30.

Have a great night ☺

Sara Miller

Event Specialist

Michigan Farm Bureau

Center for Education & Leadership Development and Michigan Foundation for Agriculture

7373 W. Saginaw Hwy. | Lansing, MI 48917

P: 517.679.4781 | E: smille1@michfb.com

W: www.michfb.com

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, November 15, 2017 6:13 PM
To: Miller, Sara <smille1@michfb.com>
Cc: Schmucker, Debra <dschmuc@michfb.com>
Subject: RE: Invitation for Administrator Pruitt

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That works. 202-329-3948

From: Miller, Sara [<mailto:smille1@michfb.com>]
Sent: Wednesday, November 15, 2017 6:09 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Schmucker, Debra <dschmuc@michfb.com>
Subject: RE: Invitation for Administrator Pruitt

Tomorrow morning is a bit sticky, does 1:30pm work?

Sara Miller

Event Specialist

Michigan Farm Bureau

Center for Education & Leadership Development and Michigan Foundation for Agriculture
7373 W. Saginaw Hwy. | Lansing, MI 48917
P: 517.679.4781 | E: smille1@michfb.com
W: www.michfb.com

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Wednesday, November 15, 2017 6:08 PM
To: Miller, Sara <smille1@michfb.com>
Cc: Schmucker, Debra <dschmuc@michfb.com>
Subject: RE: Invitation for Administrator Pruitt

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You bet. Tomorrow morning work ok?

From: Miller, Sara [<mailto:smille1@michfb.com>]
Sent: Wednesday, November 15, 2017 6:05 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Schmucker, Debra <dschmuc@michfb.com>
Subject: RE: Invitation for Administrator Pruitt

Good evening, Tate,

Wanted to check back in on schedule. We are trying to wrap up scripting and logistics for our sessions, and have quite a few moving pieces regarding Administrator Pruitt's arrival. Can we set up a call this week to review?

Thanks!

Sara Miller

Event Specialist

Michigan Farm Bureau

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P: 517.679.4781 | E: smille1@michfb.com
W: www.michfb.com

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Tuesday, November 07, 2017 3:21 PM
To: Miller, Sara <smille1@michfb.com>
Cc: Campbell, Laura <lcampbe@michfb.com>; Kran, John <jkran@michfb.com>; Schmucker, Debra <dschmuc@michfb.com>
Subject: Re: Invitation for Administrator Pruitt

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Hey! We are a yes. Please do not post online. I'll follow up separately soon.

On Nov 7, 2017, at 2:27 PM, Miller, Sara <smille1@michfb.com> wrote:

Hi Tate,

Just wanted to check in and see if there were any updates for us.

Thanks,

Sara Miller

Event Specialist

Michigan Farm Bureau

Center for Education & Leadership Development and Michigan Foundation for Agriculture

7373 W. Saginaw Hwy. | Lansing, MI 48917

P: 517.679.4781 | E: smille1@michfb.com

W: www.michfb.com

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Thursday, November 02, 2017 11:24 AM
To: Miller, Sara <smille1@michfb.com>
Cc: Campbell, Laura <lcampbe@michfb.com>; Kran, John <jkran@michfb.com>
Subject: Re: Invitation for Administrator Pruitt

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Standby- should know about a formal rsvp later today/ before the weekend.

On Nov 2, 2017, at 11:15 AM, Miller, Sara <smille1@michfb.com> wrote:

Thanks, team! Looking forward to the Administrator joining us! Tate, while you are working on the details, would you mind sending me his bio so we can get to work on our scripting?

Thanks so much!

Sara Miller

Event Specialist

Michigan Farm Bureau

Center for Education & Leadership Development and Michigan Foundation for Agriculture

7373 W. Saginaw Hwy. | Lansing, MI 48917

P: 517.679.4781 | E: smille1@michfb.com

W: www.michfb.com

From: Campbell, Laura
Sent: Wednesday, November 01, 2017 5:39 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Miller, Sara <smille1@michfb.com>; Kran, John
<jkran@michfb.com>
Subject: RE: Invitation for Administrator Pruitt

Hi Sara, Tate called me back and said she's going to run the proposal by the Administrator and figure out when in the morning they would arrive, but she said for now to not plan for the morning round table and she would let us know when he would want to do the controlled press opportunity and have some member conversation – likely after he speaks at delegate session.

I told her to contact you as the lead for all the details on that stuff, and that we had a press room and a variety of other closed spaces where we could control entry for whatever he wanted to do. We might want to touch base with Carl and put together a short list of members who would speak with him, since he said he was willing to do some one-on-one with members in addition to the press access.

She did ask specifically that we:

- 1) Not advertise his presence in advance of the meeting. I told her we could announce him as a special surprise guest during President's Lunch, and invite the non-delegates to "pack the house" in the observation areas to see him, and that we could add it to the event app on the day of his arrival.
- 2) She also asked for no press during his remarks on delegate floor, which I told her I thought we could do, especially since he's willing to do a (limited) press thing separate from his time before the members.

Tate will call or email you for more details, but please let me know if there's anything else you need from me to help with this. Thanks!

Laura A. Campbell
Manager, Ag Ecology Department
Michigan Farm Bureau
Office: 517-679-5332 Cellular Phone / Ex. 6
Email: lcampbe@michfb.com

From: Campbell, Laura
Sent: Wednesday, November 01, 2017 3:26 PM
To: 'Bennett, Tate' <Bennett.Tate@epa.gov>
Cc: Miller, Sara <smille1@michfb.com>; Kran, John
<jkran@michfb.com>
Subject: RE: Invitation for Administrator Pruitt

Hi Tate, your voicemail box is full so I'm sending this by email. We got the word back from President Bednarski on scheduling Administrator Pruitt's time for the Michigan Farm Bureau members and want to double check some logistics with you:

- We were thinking a short presentation (about 10 minutes) at the beginning of our first delegate session Tuesday afternoon November 28, which starts at 1:15 pm. We'll need to factor in a few minutes of introductions and instructions before the Administrator starts.
- Since the delegate stage isn't really conducive to a conversational Q&A with members, would the Administrator also want to have a smaller roundtable that morning with some farmers President Bednarski would select? Ideally we could set that up sometime before 11:30 am.
- Would the Administrator want to attend the President's Lunch? He could attend the lunch (which runs from 11:30 to 1:00) and/or if he is interested in doing some press we could set up a controlled space for select press during that time before he goes in to speak with the members.
- What security needs will the Administrator have while he is there?

I am going to be in Detroit for a conference tomorrow and Friday, so if you don't get this message before then, please feel free to work out any arrangements you need with Sara Miller. If either of you have questions during that time though, please feel free to text me on my cell or email me.

Thanks!

Laura A. Campbell
 Manager, Ag Ecology Department
 Michigan Farm Bureau
 Office: 517-679-5332 Cellular Phone / Ex. 6
 Email: lcampbe@michfb.com

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Wednesday, November 01, 2017 8:10 AM
To: Campbell, Laura <lcampbe@michfb.com>
Cc: Miller, Sara <smille1@michfb.com>
Subject: Re: Invitation for Administrator Pruitt

This email was delivered from outside the Farm Bureau Family of Companies - Please do not click on links or open attachments unless you are sure of its content.

Thanks for the update!

On Oct 31, 2017, at 8:36 AM, Campbell, Laura <lcampbe@michfb.com> wrote:

Hi Tate, just checking back in with you – we're working on the schedule for our meeting to give you definites on the time for Administrator Pruitt's visit and are working to communicate plans with MFB President Bednarski, so we will share details as soon as we have them. I'm copying Sara Miller so you have each other's contact

information, since Sara is leading logistics for the annual meeting.

Thank you so much for your patience!

Laura A. Campbell
Manager, Ag Ecology Department
Michigan Farm Bureau
Office: 517-679-5332 **Cellular Phone / Ex. 6**
Email: lcampbe@michfb.com

From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Thursday, October 26, 2017 3:29 PM
To: Campbell, Laura <lcampbe@michfb.com>
Subject: RE: Invitation for Administrator Pruitt

This email was delivered from outside the Farm Bureau Family of Companies - Please do not click on links or open attachments unless you are sure of its content.

Hey Laura! Is there a good time to call you this evening? Wanted to follow up on this.

From: Campbell, Laura [<mailto:lcampbe@michfb.com>]
Sent: Wednesday, August 23, 2017 10:48 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Kran, John <jkran@michfb.com>
Subject: Invitation for Administrator Pruitt

Hi Tate, my name is Laura Campbell from Michigan Farm Bureau. My colleagues at the American Farm Bureau Federation gave me your contact information in order to open some dialogue with Administrator Pruitt's office, and I'm hoping you can help me! Earlier this year, MFB President Carl Bednarski sent a letter to the Administrator regarding the status of our state's delegated authority to administer portions of the Clean Water Act (attached for your reference). President Bednarski has asked me to reach out to your office because he would like to invite the Administrator to visit Michigan. We are a key state in a number of issues that are a high priority for the Administrator:

- Waters of the US – withdrawing the 2015 rule and rewriting a new rule
- Wetlands issues – both related to WOTUS and to Michigan's recent challenges with approval for its delegated authority
- Addressing harmful algae blooms in the Western Lake Erie basin – efforts by agriculture and the need for support of voluntary

conservation efforts rather than further regulation

- Additionally, we have significant concerns about another issue EPA has been dealing with in the Courts surrounding the requirement for many livestock farms to report air emission releases under CERCLA and EPCRA, and would like the Administrator to have an opportunity to speak with farmers about the topic.

There are a number of ways we might be able to arrange a visit. If the Administrator has time this fall, he would have an excellent opportunity to see these issues on the ground and speak with farmers dealing with them every day, as well as being able to visit a local Farm Bureau event. If his availability is instead open later in the year, our annual State Farm Bureau meeting hosts more than 1000 visitors and provides opportunities for both small round-table discussions and larger session or banquet speaking opportunities. Could you look at the Administrator's schedule to see if he might be available for a visit on any of the following dates?

- Sep. 12: farm visits and Kent County Farm Bureau Annual meeting
- Sep. 19: farm visits and Cass County Farm Bureau Annual meeting
- Sep. 21: farm visits and Ottawa County Farm Bureau Annual meeting
- Oct. 17: farm visits and St. Joseph County Farm Bureau Annual meeting
- Nov. 2: farm visits and Berrien County Farm Bureau Annual meeting
- Nov. 6: farm visits and Van Buren County Farm Bureau Annual meeting
- Nov. 28-30: MFB State Annual Meeting, Grand Rapids, MI – round table discussions and speaking to a large gathering of Farm Bureau members.

Thank you so much for your help! Please let me know your thoughts and if you have any questions. If the Administrator is interested in a visit to Michigan and none of those dates work for his schedule, please let me know and we would be more than happy to make other arrangements for his visit to be impactful.

Laura A. Campbell
Manager, Ag Ecology Department
Michigan Farm Bureau
Office: 517-679-5332 **Cellular Phone / Ex. 6**
Email: lcampbe@michfb.com

Message

From: Harwood, Jackie [Harwood.Jackie@epa.gov]
Sent: 1/8/2018 3:19:47 PM
To: Sands, Jeffrey [sands.jeffrey@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]
CC: Breen, Barry [Breen.Barry@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Indermark, Michele [Indermark.Michele@epa.gov]
Subject: RE: Review Requested - Senators' Letter on CERCLA/EPCRA Reporting

Sounds good. Thanks Jeff.

Jackie Harwood
OLEM Congressional, State, and Local Liaison
OCPA/Office of Land and Emergency Management (OLEM)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

From: Sands, Jeffrey
Sent: Friday, January 05, 2018 5:08 PM
To: Harwood, Jackie <Harwood.Jackie@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>
Subject: RE: Review Requested - Senators' Letter on CERCLA/EPCRA Reporting

Jackie,

Thanks for passing along. I will review this over the weekend and get back with you as quickly as possible.

I should add that we are going to USDA Monday afternoon to brief them on this issue so there may be more to add in our response on coordination with them from that meeting.

Best,
Jeff

From: Harwood, Jackie
Sent: Friday, January 5, 2018 4:19 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>
Subject: Review Requested - Senators' Letter on CERCLA/EPCRA Reporting

Hi Tate and Jeff,

Attached is a letter the Administrator received from a bipartisan group of 11 Senators from states where poultry farming is a key part of the economy. In the letter they expressed concerns they have heard from farmers in their states on the new EPCRA/CERCLA reporting requirements and EPA's guidance, and asked us to respond to four questions. I've attached what OLEM has developed so far in response to this letter—Barry Breen and OEM asked that I pass it on to you to review before we move it forward.

We understand from OCIR that Troy Lyons would like the Agency to respond to the Senators' letter as soon as possible, due to the Administrator's testimony before the Senate Environment and Public Works Committee at the end of the month. We would be grateful if you could get back to us with your thoughts and/or edits.

Please let me know if you have any questions or concerns about this.

Thank you.

Jackie

Jackie Harwood
OLEM Congressional, State, and Local Liaison
OCPA/Office of Land and Emergency Management (OLEM)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

Message

From: Milbourn, Cathy [Milbourn.Cathy@epa.gov]
Sent: 1/16/2018 11:44:19 PM
To: Thomas, Latosha [Thomas.Latosha@epa.gov]
CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Nitsch, Chad [Nitsch.Chad@epa.gov]; Richardson, RobinH [Richardson.RobinH@epa.gov]; Levine, Carolyn [Levine.Carolyn@epa.gov]; Janifer, Pamela [Janifer.Pamela@epa.gov]
Subject: Re: Outreach Calls: Animal Waste

Sure sounds good. Please make sure Lee Tanner is included since he covers Ag issues for OPE.

Thanks!

Cathy

Sent from my iPhone

On Jan 16, 2018, at 6:06 PM, Thomas, Latosha <Thomas.Latosha@epa.gov> wrote:

Thanks.

Cathy – Let's discuss logistics at 9AM tomorrow if you're free.

From: Grantham, Nancy
Sent: Tuesday, January 16, 2018 5:53 PM
To: Thomas, Latosha <Thomas.Latosha@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Outreach Calls: Animal Waste

Hi Latosha,

To summarize where we are in terms of calls for Thursday, 1/18 tomorrow:

11:00 a.m. est "leaderview" call with the trade groups – (# of lines?) OLEM will lead

12:30 p.m.est "leaderview" call with OPEE stakeholders (100 lines) – OPEE will lead

Tate has requested that we get the numbers and access codes for these calls asap so notification can be made asap tomorrow.

FYI – there will also be a 2 p.m. est call with NASDA tomorrow – Chad Nitsch is leading

Please let us know if you need any further information to make this happen.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Cellular Phone / Ex. 6

From: Thomas, Latosha
Sent: Tuesday, January 16, 2018 5:49 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Outreach Calls: Animal Waste

Hi everyone,

As you know, we are hosting calls for our stakeholders that will be impacted by the new reporting requirements related to animal waste. Based on my discussions with many of you earlier, I wanted to make sure that I've captured everything in the outline below. In addition, let me know if the language that will be sent with the call invites is ok. Thanks!

Animal Waste Outreach Calls

Overview: EPA will host two (2) calls to notify stakeholders of the new requirements related to animal waste. The 1st call will include livestock trade associations + industry + state, local, tribal officials. The 2nd call will include actual members of the associations/organizations.

1st Call

When: Thursday (1/18) @10AM ET

Hosts: Patty Gioffre/Kim Jennings (OEM/RID)

Key Messages:

- <!--[if !supportLists]--><!--[endif]-->Due to a recent court decision, farmers (including ranchers, livestock and/or animal operators) will soon be required to begin reporting emissions of hazardous substances from animal waste that are equal to or greater than a certain threshold when the court issues its mandate (January 22, 2017 or later).
- <!--[if !supportLists]--><!--[endif]-->EPA has issued guidance that is available online to assist farmers in estimating their air releases and reporting under CERCLA for air releases of hazardous substances from animal waste at farms (EPA's website also

contains EPA's preliminary interpretation of EPCRA to exclude farms that use substances in "routine agricultural operations" from reporting under EPCRA section 304).

- The Agency has provided outreach materials (PSA, social media, article, widget, etc.) that are available for your use and to help you get the word out about these new requirements.

Participants:

- Livestock Trade Associations
 - National Cattleman's Beef Association
 - Arizona Cattle Growers Association
 - National Chicken Council
 - National Council of Farmer Cooperatives
 - National Turkey Federation
 - US Poultry and Egg Association
 - United Egg Producers
 - National Pork Producers Council
 - National Pork Board
 - National Milk Producers Federation
 - Mid-Atlantic Dairy Association
 - Nisei Farmers League
 - Innovation Center for US Dairy
 - Dairy Farmers of America
 - Dairy Management Inc.
 - Livestock and Poultry Environmental Learning Center (extension agents at land grant universities)
 - Cornell PRO-DAIRY Program
- Industry
 - Seaboard Farms
 - Tyson Foods
 - National Association of State Title III Officials (NASTTPO), State Emergency Response Commissions (SERCs), Tribal Emergency Response Commissions (TERCs), Local Emergency Planning Committees (LEPCs)
 - National Association of State Departments of Agriculture
 - National Association of Clean Air Agencies – Agriculture Committee
 - American Farm Bureau Federation
- Agricultural Retailers Association (ARA)
- The Fertilizer Institute (TFI)
- National Farmers Union
- National Association of Conservation Districts (NACD)
- Enviro/NGOs
 - Sierra Club

2nd Call

When: Thursday (1/18) @2PM ET

Hosts: Tate Bennett (Patty Gioffre/Kim Jennings will participate for support)

Key Messages:

- <!--[if !supportLists]--><!--[endif]-->Due to a recent court decision, farmers (including ranchers, livestock and/or animal operators) will soon be required to begin reporting emissions of hazardous substances from animal waste that are equal to or greater than a certain threshold when the court issues its mandate (January 22, 2017 or later).
- <!--[if !supportLists]--><!--[endif]-->EPA has issued guidance that is available online to assist farmers in estimating their air releases and reporting under CERCLA for air releases of hazardous substances from animal waste at farms (EPA's website also contains EPA's preliminary interpretation of EPCRA to exclude farms that use substances in "routine agricultural operations" from reporting under EPCRA section 304).
- <!--[if !supportLists]--><!--[endif]-->The Agency has provided outreach materials (PSA, social media, article, widget, etc.) that are available for your use and to help you get the word out about these new requirements.

Participants: Actual members of the above associations/organizations/groups

Language to be sent with invites (+ attached comms materials)

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period. The purpose of this call is to provide an overview and basic information for our stakeholders who are impacted by this new requirement.

ACTIONS

- <!--[if !supportLists]--><!--[endif]-->OEM will send out invitations to participants of the 1st call
- <!--[if !supportLists]--><!--[endif]-->OPE will send out invitations to participants of the 2nd call
- <!--[if !supportLists]--><!--[endif]-->Latosha (OEM) will work with Cathy Milbourn (OPE) re: logistics for 2nd call*

*OEM should be able to handle the quantity of participants related to the 1st call since there will be less people.

Latosha Thomas
U.S. Environmental Protection Agency
OLEM/OEM/RMD
(202) 564-2621 (desk)
Cellular Phone / Ex. 6
thomas.latosha@epa.gov

Message

From: Marvin Childers [marvin@thepoultryfederation.com]
Sent: 1/18/2018 1:25:59 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Re: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Yes I can. Thank You!!!

Marvin Childers
President
The Poultry Federation
501-375-8131

On Jan 18, 2018, at 6:49 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Sending updated call line today. Can you get this to your members?

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: January 17, 2018 at 6:03:55 PM EST
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

All-

In order to accommodate additional phone lines, we will be updating the call-in information, including the phone number. Please be on the lookout for an e-mail from me with updated call-in information for Friday's call either tonight or tomorrow.

This call will still take place at the scheduled time, Friday, 1/19 at 1 PM Eastern.

Thanks for your patience.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Bennett, Tate
Sent: Wednesday, January 17, 2018 2:29 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM

EASTERN

Importance: High

All—

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period.

As such, EPA invites you and your operation to learn more about the basis of this action via a phone briefing on Friday, 1/19, at 1 PM EASTERN TIME ZONE.

WHO: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS

WHEN: FRIDAY, JANUARY 19, 1PM EASTERN START TIME (fee free to dial in early around 12:50 PM Eastern). TBD

Conference Number / Ex. 6

If you have any additional questions on this topic and for more information, please contact the Environmental Protection Agency via the information provided below:

- Visit www.epa.gov/animalwaste for guidance and access to the continuous release reporting forms
- Email comments or suggestions on guidance materials to: CERCLA103.guidance@epa.gov
- Regional Contacts: www.epa.gov/epcra/cr-erns-regional-contacts
- Call with questions: 1-800-424-9346

Please let us know if you have additional questions and we look forward to your joining the call on Friday.

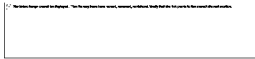
Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Delivery Report

From: postmaster@tcfa.org [postmaster@tcfa.org]
Sent: 1/17/2018 11:03:59 PM
To: jwinegarner@tcfa.org
Subject: Undeliverable: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Attachments: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Your message

To: Bennett, Tate
Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Sent: 1/17/2018 11:03:55 PM



Your message to jwinegarner@tcfa.org couldn't be delivered.

jwinegarner wasn't found at tcfa.org.

Bennett.Tate	Office 365	jwinegarner
Action Required		Recipient



Unknown To address

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 1/17/2018 11:03:55 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: jwinegarner@tcfa.org
Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient jwinegarner@tcfa.org not found by SMTP address lookup
DSN generated by: BY2PR13MB0758.namprd13.prod.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	1/17/2018 11:03:56 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	mapi

2	1/17/2018 11:03:56 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB2231.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
3	1/17/2018 11:03:57 PM	gcc01-CY1- obe.outbound.protection.outlook.com	CY1NAM02FT054.mail.protection.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
4	1/17/2018 11:03:58 PM	CY1NAM02FT054.eop- nam02.prod.protection.outlook.com	CY4PR13CA0014.outlook.office365.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
5	1/17/2018 11:03:58 PM	CY4PR13CA0014.namprd13.prod.outlook.com	BY2PR13MB0758.namprd13.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA

Original Message Headers

Received: from CY4PR13CA0014.namprd13.prod.outlook.com (10.168.161.152) by
BY2PR13MB0758.namprd13.prod.outlook.com (10.164.168.152) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.428.9; Wed, 17 Jan 2018 23:03:58 +0000

Received: from CY1NAM02FT054.eop-nam02.prod.protection.outlook.com
(2a01:111:f400:7e45::205) by CY4PR13CA0014.outlook.office365.com
(2603:10b6:903:32::24) with Microsoft SMTP Server (version=TLS1_2,
cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384) id 15.20.428.9 via Frontend
Transport; Wed, 17 Jan 2018 23:03:58 +0000

Authentication-Results: spf=pass (sender IP is 23.103.200.125)
smtp.mailfrom=epa.gov; tcfa.org; dkim=pass (signature was verified)
header.d=usepa.onmicrosoft.com;tcfa.org; dmarc=permererror action=none
header.from=epa.gov;

Received-SPF: Pass (protection.outlook.com: domain of epa.gov designates
23.103.200.125 as permitted sender) receiver=protection.outlook.com;
client-ip=23.103.200.125; helo=gcc01-CY1-obe.outbound.protection.outlook.com;

Received: from gcc01-CY1-obe.outbound.protection.outlook.com (23.103.200.125)
by CY1NAM02FT054.mail.protection.outlook.com (10.152.74.100) with Microsoft
SMTP Server (version=TLS1_2,
cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P384) id 15.20.428.12 via
Frontend Transport; Wed, 17 Jan 2018 23:03:57 +0000

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;
s=selector1-epa-gov;
h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
bh=7EWEroa24rXitKXGzbnFLs4GuUuJ0euyq3J/YcaGIj8=;

b=NBkYAbkxQT157vwEkO60DmqTuqyD53ia9lITqDHBNPomOx78tNlk6exDNJYhtmsFABhzoNZddGvEZ3Lf9/5IFpj
bNYLGnNGBqrkcszFqWyj5LHjgJ2SjJzU8j2VVGvoLEe/OzQJNlBsJ2Q+6CCAMtLko4/VkOnm43OkxWsEeBNk=

Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by
CY4PR09MB2231.namprd09.prod.outlook.com (10.172.139.141) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.407.7; Wed, 17 Jan 2018 23:03:56 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by

CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
15.20.0407.012; Wed, 17 Jan 2018 23:03:56 +0000
From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM
EASTERN
Thread-Topic: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1
PM EASTERN
Thread-Index: AdOP51PUSDZ2ZLMg5ShC3zCHqc8EObA==
Importance: high
X-Priority: 1
Date: Wed, 17 Jan 2018 23:03:55 +0000
Message-ID:
<CY4PR09MB15093F59429A976C6F04E57096E90@CY4PR09MB1509.namprd09.prod.outlook.com>
Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
Authentication-Results-Original: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;
z-originating-ip: [161.80.87.199]
x-ms-publictraffictype: Email
X-Microsoft-Exchange-Diagnostics-untrusted:
1;CY4PR09MB2231;7:dThEaHwi/AYv8Bt6geFzBZS2ZGwecSzTYJWk5b4SWPuubXB+t9Upaz486PGLKb/4YHSF4kB
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z-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr
x-microsoft-antispam-prvs:
<CY4PR09MB2231308711FBF15E5DA656E296E90@CY4PR09MB2231.namprd09.prod.outlook.com>
z-exchange-antispam-report-test:
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2);
z-exchange-antispam-report-cfa-test:
BCL:0;PCL:0;RULEID:(6040470)(2401047)(8121501046)(5005006)(3002001)(3231023)(944501161)(9
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) (201703061421075)(201703061406153)(20161123558120)(20161123562045)(20161123564045)(20161
123560045)(6072148)(201708071742011);SRVR:CY4PR09MB2231;BCL:0;PCL:0;RULEID:(100000803101)
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received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)

X-Microsoft-Antispam-Message-Info-Original: /iX61M7sTC6wq7TPIId4tf2svUrjqJ3mXR7WI5bjJs09hP/7pmz4JHhgRJa9CeHuTklnOOpJE6MrDrOkCNQT6pw==

spamdianagnosticoutput: 1:99

spamdianagnosticmetadata: N3PM

Content-Type: multipart/alternative;

boundary="____000_CY4PR09MB15093F59429A976C6F04E57096E90CY4PR09MB1509nampr____"

MIME-Version: 1.0

X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB2231

Return-Path: Bennett.Tate@epa.gov

X-EOPAttributedMessage: 0

X-EOPTenantAttributedMessage: 76c117d3-2c54-4215-8328-115d725d164f:0

X-MS-Exchange-Transport-CrossTenantHeadersStripped: CY1NAM02FT054.eop-nam02.prod.protection.outlook.com

X-MS-Exchange-Transport-CrossTenantHeadersPromoted: CY1NAM02FT054.eop-nam02.prod.protection.outlook.com

X-Forefront-Antispam-Report: CIP:23.103.200.125;IPV:NLI;CTRY:;EFV:NLI;

X-Microsoft-Exchange-Diagnostics: 1;CY1NAM02FT054;1:6h9Eb7xOA7Yd5SScLa28h2QpSHBBESH/YQ3LehYBx1DjvLmech34WthC+aStFrRSet+ldyf+P6sN0MTH3+OeMZ2JXoBiPA+8gop337m8i8W3fPS9X8UJIn5IJotJlloH

X-Microsoft-Antispam: UriScan:;ECL:0;PCL:0;RULEID:(7020095)(5600026)(4604075)(4605076)(1401041)(1405041)(1407041)(121220051038)(121220052038)(121220054038)(71702078)(7193020);SRVR:BY2PR13MB0758;

X-Microsoft-Exchange-Diagnostics: 1;BY2PR13MB0758;3:3ma5tqm1vUEx4WiQQLtHenz1OPwGjglPBLFvwkBa7t9yPLi5j4c20HCT/9S9p81X818ZZ9bELR0LQ3mmaAMKG0T/u6uBWhKa5qUnDh32Wliw0WKmq9GtDI3OsrV9ZlQXGvov7QpMn23y9HtI8fbvZ000mE5ESwqH+o+8HvQAD8EEJcvFec7M/YF9ZOfWjorCj05EFV3PyTLOQt8rt7kTc2KWNANF3snTv3MoyixMi3GaeyHX9z1xS+B0ErK+OZJH07EP7sVGgVZE5cavloIZNTK8BMkYVWPku9kdFaGobd3ja8k8Ba4T+pWsz6AqATcVnoMLX8uZ0KdcJ6Ex5yLxivQ==;25:1nECunUEUOWKLDomvanIKPfsN+/66t2ClANF23g5W1LAJcTbd9tpDcvwxOIIIdiq0u8PgbQsA2ENJPwAN66uT28vmfTAHqnKL9cnUJI586UIwpYzakPPDlga/Wyr20Ihs5TDqAdQEnNTblQK+KlqpfSQVL/zrVtDl3ptAUsonNbScns51NnsQKdmFi3YVv8I4jspyQLLG7GJcVCRGqEHAfXaJ+XT5VgOpXsjFtCR6HIw0g3S9zFmhyoy4ohFCim216un/jqxillUA+lvuaXdN0gpgpX5C7jV+TdYbPvcozFEQHH4Q+Qr+Gocz0TLjUP6N4Agtjbl3QGPYcjrCdvhoqqw==

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 1/5/2018 6:09:00 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
CC: Brennan, Thomas [Brennan.Thomas@epa.gov]
Subject: FW: Latest materials ACTION CERCLA EPCRA Ag rule comms materials
Attachments: Animal Waste Emissions Reporting Reqs Comms Plan (DRAFT 1.5.18).docx; CERCLA EPCRA Factsheet 1-4-18 final.docx

FYI – these are the materials that Hema is reviewing now – thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Cellular Phone / Ex. 6

From: Grantham, Nancy
Sent: Friday, January 05, 2018 11:47 AM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: FW: Latest materials ACTION CERCLA EPCRA Ag rule comms materials

Hi Hema,

I think you may be on a call now with USDA. When convenient, can you call me so we can discuss next steps?

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Cellular Phone / Ex. 6

From: Taylor, Trish
Sent: Friday, January 05, 2018 11:20 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Benjamin, Kent <Benjamin.Kent@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Clark, Becki <Clark.Becki@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Roache, Brendan <Roache.Brendan@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>
Subject: FW: ACTION CERCLA EPCRA Ag rule comms materials

Hi Nancy,

I just received an email from Kim Jennings letting me know that she is on the phone with the Ag Advisor and his office has agreed to her recent changes below, in red.

Thanks,
Trish

From: Jennings, Kim
Sent: Friday, January 05, 2018 11:07 AM
To: Taylor, Trish <Taylor.Trish@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Roache, Brendan <Roache.Brendan@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>
Cc: Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: RE: ACTION CERCLA EPCRA Ag rule comms materials

I am OK with the materials attached. Regarding the material below, in light of conversations yesterday, perhaps we should make the following edits to make clear this is not an EPA action or new regulation:

Facebook Posts for toolkit (non-EPA social media accounts)

- Due to a recent Court action, many farmers with animal operations will soon be required to report emissions from animal waste. Visit epa.gov/animalwaste or call 1-800-424-9346 for tools on the new requirement.
- EPA has provided guidance to help farmers with animal operations comply with reporting requirements under CERCLA and EPCRA. Visit epa.gov/animalwaste or call 1-800-424-9346 for more info.

Tweets for toolkit (non-EPA social media accounts)

- Visit epa.gov/animalwaste or call 1-800-424-9346 to get info about the new reporting requirements for farmers coming soon! #animalwaste
- #DYK EPA has guidance to help farmers with animal operations comply with reporting requirements under CERCLA & EPCRA? Visit epa.gov/animalwaste or call 1-800-424-9346. #animalwaste

Tweets for our EPA accounts (@EPA and @EPALand)

- Due to a recent Court action, many U.S. farms with animal operations will soon be required to report emissions from animal waste. To learn more, visit <https://www.epa.gov/animalwaste> or call 1-800-424-9346.
- Due to a recent Court action, many farms with animal operations will soon need to report emissions from animal waste. Online tools are available to livestock producers to determine if this requirement applies to them & help them comply with the law. <https://www.epa.gov/animalwaste>.

PSA Script

- *Due to a recent Court action, many farms with animal operations across the United States will soon be required to report emissions from animal waste.*
- *EPA had exempted most farms from this requirement under the EPCRA and CERCLA laws but due to a recent lawsuit, the courts eliminated this exemption.*
- *EPA has tools to help livestock producers determine if this requirement applies to their operations and help them comply with the law.*
- *To learn more visit epa.gov/animalwaste or call 1-800-424-9346.*

Widget Revised language: Air Emissions from Agriculture Due to a recent Court action, many farms with animal operations will soon be required to report emissions from animal waste. Learn about this requirement ([hyperlink](#)). Compliance assistance 800-424-9346.

The preferred version of the widget is the one with the EPA logo and barn image.

Kim Jennings

Division Director || **Regulations Implementation Division**

U.S. Environmental Protection Agency || **Office of Emergency Management**

E-mail: jennings.kim@epa.gov || **Desk:** (202) 564-7998 ||

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 1/17/2018 11:03:58 PM
To: 'jackfield@kvalley.com' [jackfield@kvalley.com]
Subject: Undeliverable: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Attachments: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Your message

To: Bennett, Tate
Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Sent: 1/17/2018 11:03:55 PM

spamcheck1.kvalley.com rejected your message to the following email addresses:

'jackfield@kvalley.com' (jackfield@kvalley.com)

There's a problem with the recipient's mailbox. Please try resending your message. If the problem continues, please contact your email admin.

spamcheck1.kvalley.com gave this error:

Mailbox unavailable. Your IP address 23.103.200.110 is blacklisted using KvalleyBL. Details: If you feel this is incorrect, please click this link to request you be unblocked:

<http://public.kvalley.com/orf/removerequest.asp?ip=23.103.200.110&sender=Bennett.Tate@epa.gov&recipient=jackfield@kvalley.com>

Diagnostic information for administrators:

Generating server: CY4PR09MB2231.namprd09.prod.outlook.com

jackfield@kvalley.com

spamcheck1.kvalley.com

Remote Server returned '550 5.2.1 Mailbox unavailable. Your IP address 23.103.200.110 is blacklisted using KvalleyBL.

Details: If you feel this is incorrect, please click this link to request you be unblocked:

<http://public.kvalley.com/orf/removerequest.asp?ip=23.103.200.110&sender=Bennett.Tate@epa.gov&recipient=jackfield@kvalley.com>

Original message headers:

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;
s=selector1-epa-gov;
h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
bh=7EWEroa24rXitKXGzbnFLs4GuUuJ0euyq8J/YcaGIj8=;

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Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by
CY4PR09MB2231.namprd09.prod.outlook.com (10.172.139.141) with Microsoft SMTP

Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384_P256) id
15.20.407.7; Wed, 17 Jan 2018 23:03:56 +0000
Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by
CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
15.20.0407.012; Wed, 17 Jan 2018 23:03:56 +0000
From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM
EASTERN
Thread-Topic: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1
PM EASTERN
Thread-Index: AdOP51PU3DZLMg5ShC3zCHqo8BOBA==
Importance: high
X-Priority: 1
Date: Wed, 17 Jan 2018 23:03:55 +0000
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Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
authentication-results: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;
x-originating-ip: [161.80.87.199]
x-ms-publictraffictype: Email
z-microsoft-exchange-diagnostics:
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z-forefront-antispam-report:
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09MB2231;H:CY4PR09MB1509.namprd09.prod.outlook.com;FPR:;SPF:None;PTR:InfoNoRecords;A:1;MX
:1;LANG:en;
received-spf: None (protection.outlook.com: epa.gov does not designate
permitted sender hosts)
z-microsoft-antispam-message-info:
/ix61M7sTC6wq7TPId4tf2svUrqJ3mXR7WI5bjJs09hP/7pmz4JHhgRJa9CeHuTklnOOpJE6MrDrOkCNQT6pw==

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 boundary="__000__CY4PR09MB15093F59429A976C6F04E57096E90CY4PP09MB1509namp__"
MIME-Version: 1.0
X-OriginatorOrg: epa.gov
X-MS-Exchange-CrossTenant-Network-Message-Id: 2a9f6422-b2a8-44fc-3f4d-08d55dfe95e0
X-MS-Exchange-CrossTenant-originalarrivaltime: 17 Jan 2018 23:03:55.9433
 (UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PP09MB2231

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 1/19/2018 11:12:18 PM
To: 'isoly@agricultorpr.org' [isoly@agricultorpr.org]
Subject: Undeliverable: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Attachments: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Your message

To: Bennett, Tate
Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Sent: 1/17/2018 11:03:55 PM

Delivery has failed to these recipients or groups:

'isoly@agricultorpr.org' (isoly@agricultorpr.org)

Your message wasn't delivered. Despite repeated attempts to deliver your message, the recipient's email system refused to accept a connection from your email system.

Contact the recipient by some other means (by phone, for example) and ask them to tell their email admin that it appears that their email system is refusing connections from your email server. Give them the error details shown below. It's likely that the recipient's email admin is the only one who can fix this problem.

For Email Admins

No connection could be made because the target computer actively refused it. This usually results from trying to connect to a service that is inactive on the remote host - that is, one with no server application running. For more information and tips to fix this issue see this article:

<https://go.microsoft.com/fwlink/?LinkId=389361>

Diagnostic information for administrators:

Generating server: CY4PR09MB2231.namprd09.prod.outlook.com

Receiving server: CY4PR09MB2231.namprd09.prod.outlook.com

isoly@agricultorpr.org

1/19/2018 11:12:18 PM - Server at CY4PR09MB2231.namprd09.prod.outlook.com returned '550 5.4.316 Message expired, connection refused(Socket error code 10061)'

1/19/2018 11:01:59 PM - Server at agricultorpr.org (141.8.225.31) returned '450 4.4.316 Connection refused [Message=Socket error code 10061] [LastAttemptedServerName=agricultorpr.org] [LastAttemptedIP=141.8.225.31:25] [CY1GCC01FT005.eop-gcc01.prod.protection.outlook.com](Socket error code 10061)'

Original message headers:

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;
s=selector1-epa-gov;
h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
bh=7EWEroa24rXitKXGxbmFLs4GuUuJ0euyqSJ/YcaGIj0=;

b=NBkYAbkzQT157vwEkO60DmqTuqyD53ia91ITqDHBNPomOx78tNlk6exDNJYhtmsFABhzoNZddGvEZ3Lf9/5IPpj
bNYLGnNGBqrkcszFqWYj5LHjgJ2SjJzU8j2VVGvoLEe/OzQJNlBSj2Q+6CCAMtLko4/VkOnm43OkxWsEeBNk=

Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by
CY4PR09MB2231.namprd09.prod.outlook.com (10.172.139.141) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.407.7; Wed, 17 Jan 2018 23:03:56 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by
CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
15.20.0407.012; Wed, 17 Jan 2018 23:03:56 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>

Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM
EASTERN

Thread-Topic: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1
PM EASTERN

Thread-Index: AdOP51FUSDZ2LMg5ShC3zCHqo8BObA==

Importance: high

X-Priority: 1

Date: Wed, 17 Jan 2018 23:03:55 +0000

Message-ID:

<CY4PR09MB15093F59429A976C6F04E57096E90@CY4PR09MB1509.namprd09.prod.outlook.com>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach:

X-MS-TNEF-Correlator:

authentication-results: spf=none (sender IP is)

smtp.mailfrom=Bennett.Tate@epa.gov;

x-originating-ip: [161.80.87.199]

x-ms-publictraffictype: Email

x-microsoft-exchange-diagnostics:

1;CY4PR09MB2231;7:dThBahwi/AYv8Bt6gePzBZS2ZGwscSzTYJWk5b4SWPuubXB+t9Upaz486RGLKb/4YHSF4kB
2i0KG+wO5sjjFY96C7WRXsIcTwAMF5Vklzia67mO5o4flThOKNvl83ldOKrPVMbk283AljEoYLUQkdPQv960QNTfH
PN/XGuhKwvCuPQUAGBvn9rGnIMHnrXnlMGgVlVHDZCUBB+Z1HWVvVaq27ecxli5IWbGUDIT917mzjcK5vrG125dStR
VDluqd7;23;zR9LKoJw050FvyJYIIluu6MZLfyrk6sPQRgiXqk0zn2QcVS8yYvmmwSkRTUnltPUBTElVswKtX8Q9L
Pi5p++CBGorAXeaz6x2Ob5MfoleX4eCHfX6I+st2Pfalg/NxnMETqbL76QTWIhyu5sTpBcQ==

x-ms-office365-filtering-correlation-id: 2a9f6422-b2a8-44fc-3f4d-08d55dfe95e0

x-microsoft-antispam:

UriScan:;BCL:0;PCL:0;RULEID:(7020095)(4652020)(5600026)(4604075)(3008032)(2017052603307)(
7153060)(7193020);SRVR:CY4PR09MB2231;

X-MS-TrafficTypeDiagnostic: CY4PR09MB2231:|CY4PR09MB2231;

x-lid-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr

x-microsoft-antispam-prvs:

<CY4PR09MB2231308711FBF15E5DA656E296E90@CY4PR09MB2231.namprd09.prod.outlook.com>

x-exchange-antispam-report-test:

UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(22942507469499
2);

x-exchange-antispam-report-cfa-test:

BCL:0;PCL:0;RULEID:(6040470)(2401047)(8121501046)(5005006)(3002001)(3231023)(944501161)(9
3006095)(93001095)(10201501046)(6041268)(201703131423095)(201702281528075)(20161123555045
) (201703061421075)(201703061406153)(20161123558120)(20161123562045)(20161123564045)(20161
123560045)(6072148)(201708071742011);SRVR:CY4PR09MB2231;BCL:0;PCL:0;RULEID:(100000803101)
(100110400095);SRVR:CY4PR09MB2231;

x-forefront-prvs: 0555EC8317

x-forefront-antispam-report:

SFV:NSPM;SFS:(10019020)(398604000002)(393804000002)(396003)(366004)(376002)(346002)(199004)
(189003)(6862004)(81166006)(390604000002)(7416002)(3660700001)(102836004)(3280700002)(7736
002)(6436002)(2900100001)(25786009)(316002)(606006)(81686011)(2420400007)(53546011)(65060
07)(59450400001)(478600001)(790700001)(8666007)(236005)(72206003)(8656006)(5660300001)(55

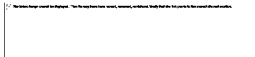
016002) (9686003) (53936002) (3846002) (77096007) (14454004) (6306002) (15650500001) (99286004) (26005) (6116002) (105586002) (33656002) (66066001) (86362001) (7366002) (7406005) (7276002) (2906002) (54896002) (8676002) (81156014) (65686004) (7336002) (97736004) (6200100001) (7110500001) (7696005) (74316002) (106356001) (8936002) (68736007) (217873001); DIR: OUT; SFP: 1102; SCL: 1; SPVR: CY4PR09MB2231; H: CY4PR09MB1509.namprd09.prod.outlook.com; FPR: ; SPF: None; PTP: InfoNoRecords; A: 1; MX: 1; LANG: en;
received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)
x-microsoft-antispam-message-info:
/iX61M7sTC6wq7TPId4tff2svUrqJ3mXR7WI5bjJs09hP/7pmz4JHhgRJa9CeHuTklnOOpJE6MrDrOkCNQT6pw==
spamdianagnosticoutput: 1:99
spamdianagnosticmetadata: NSPM
Content-Type: multipart/alternative;
 boundary="_000_CY4PR09MB15093F59429A976C6F04E57096E90CY4PR09MB1509nampr_"
MIME-Version: 1.0
X-MS-Exchange-CrossTenant-Network-Message-Id: 2a9f6422-b2a8-44fc-3f4d-08d55dfe95e0
X-MS-Exchange-CrossTenant-originalarrivaltime: 17 Jan 2018 23:03:55.9433 (UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB2231
X-OriginatorOrg: epa.gov

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 1/17/2018 11:03:58 PM
To: 'asmart@mainefarmbureau.com' [asmart@mainefarmbureau.com]
Subject: Undeliverable: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Attachments: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Your message

To: Bennett, Tate
Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Sent: 1/17/2018 11:03:55 PM



Your message to asmart@mainefarmbureau.com couldn't be delivered.

asmart wasn't found at mainefarmbureau.com.

Bennett.Tate	Office 365	asmart
Action Required		Recipient



Unknown To address

How to Fix It

The address might be misspelled or might not exist. Try one or more of the following:

- **Retype the recipient's address, then resend the message** - If you're using Outlook, open this non-delivery report message and click **Send Again** from the menu or ribbon. In Outlook on the web, select this message, and then click the "**To send this message again, click here.**" link located just above the message preview window. In the To or Cc line, delete and then retype the entire recipient's address (ignore any address suggestions). After typing the complete address, click **Send** to resend the message. If you're using an email program other than Outlook or Outlook on the web, follow its standard way for resending a message. Just be sure to delete and retype the recipient's entire address before resending it.
- **Remove the recipient from the recipient Auto-Complete List, then resend the message** - If you're using Outlook or Outlook on the web, follow the steps in the "Remove the recipient from the recipient Auto-Complete List" section of [this article](#). Then resend the message. Be sure to delete and retype the recipient's entire address before clicking **Send**.
- **Contact the recipient by some other means**, (by phone, for example) to confirm you're using the right address. Ask them if they've set up an email forwarding rule that could be forwarding your message to an incorrect address.

If the problem continues, ask the recipient to tell their email admin about the problem, and give them the error (and the name of the server that reported it) shown below. It's likely that only the recipient's email admin can fix this problem.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.4.1

This error occurred because a message was sent to an email address hosted by Office 365, but the address doesn't exist in the receiving organization's Office 365 directory. Directory Based Edge Blocking (DBEB) is enabled for mainefarmbureau.com, and DBEB rejects messages addressed to recipients who don't exist in the receiving organization's Office 365 directory. This error is reported by the recipient domain's email server, but most often it can be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

Check that the email address exists and is correct - Confirm that the recipient address exists in your Office 365 directory, is correct, and is accepting messages.

Synchronize your directories - Make sure directory synchronization is working correctly, and that the recipient's email address exists in both Office 365 and in your on-premises directory.

Check for errant forwarding rules - Check for forwarding rules for the original recipient that might be trying to forward the message to an invalid address. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Forwarding or Inbox Rules features.

Make sure the recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license to them (Users > Active Users > Select the recipient > Assigned License > Edit).

Make sure that mail flow settings and MX records are correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are set up correctly.

For more information and additional tips to fix this issue, see [this article](#).

Original Message Details

Created Date: 1/17/2018 11:03:55 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: asmart@mainefarmbureau.com
Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Error Details

Reported error: 550 5.4.1 [asmart@mainefarmbureau.com]: Recipient address rejected: Access denied [CY1NAM02FT030.eop-nam02.prod.protection.outlook.com]
DSN generated by: CY4PR09MB2231.namprd09.prod.outlook.com

Remote server: CY1NAM02FT030.mail.protection.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	1/17/2018 11:03:56 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	mapi
2	1/17/2018 11:03:56 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB2231.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA

Original Message Headers

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version; bh=7EWEROa24rXitKXGzbnFLs4GuUuJ0euyqSJ/YcaGIj8=;

b=NBkYAbkxQT157vwEkO60DmqTuqyD53ia9lITqDHBNPomOx78tNLk6exDNJYhtmsFABhzonZddGvEZ3Lf9/5IFPj bNYLGnNGBqrkcsxFqWyj5LHjgJ2SjJzU8j2VVGvoLEe/OzQJNlbSj2Q+6CCAMtLko4/VkOnm43OkzWsEeBNk=

Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by CY4PR09MB2231.namprd09.prod.outlook.com (10.172.139.141) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Wed, 17 Jan 2018 23:03:56 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id 15.20.0407.012; Wed, 17 Jan 2018 23:03:56 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>

Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Thread-Topic: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Thread-Index: AdOP51PUSDZ2LMg5ShC3zCHqc8EObA==

Importance: high

X-Priority: 1

Date: Wed, 17 Jan 2018 23:03:55 +0000

Message-ID: <CY4PR09MB15093F59429A976C6F04E57096E90@CY4PR09MB1509.namprd09.prod.outlook.com>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach:

X-MS-TNEF-Correlator:

authentication-results: spf=none (sender IP is) smtp.mailfrom=Bennett.Tate@epa.gov;

x-originating-ip: [161.80.87.199]

x-ms-publictraffictype: Email

x-microsoft-exchange-diagnostics:
1;CY4PR09MB2231;7;dThBaHwi/AYv8Bt6gePzBZS2ZGwscSzTYJWk5b4SWPuubXB+t9Upaz486PGLKb/4YHSF4kE
2i0KG+wO5s;jjFX96C7wRXsIcTwAMF5VkiXIA67mO5o4flThOKNvl831dOKrRVMbk283AljEoYLUQkdPQv960QNTFH
RN/XGuhKwvCuPQUAOBvn9rGnIMHnrXnlMGgVlVHDZCUBB+ZiHWVVMq27ecxli5IWbGUDIT917mxjcK5vrGl25dStR
VDluqd7
x-ms-office365-filtering-correlation-id: 2a9f6422-b2a8-44fc-3f4d-08d55dfe95e0
x-microsoft-antispam:
UriScan:;BCL:0;PCL:0;RULEID:(7020095)(4652020)(5600026)(4604075)(3008032)(2017052603307)(
7153060)(7193020);SRVR:CY4PR09MB2231;
z-ms-trafficdiagnostic: CY4PR09MB2231;
x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr
x-microsoft-antispam-prvs:
<CY4PR09MB2231308711FEBF15E5DA656E296E90@CY4PR09MB2231.namprd09.prod.outlook.com>
x-exchange-antispam-report-test:
UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(22942507469499
2);
x-exchange-antispam-report-cfa-test:
BCL:0;PCL:0;RULEID:(6040470)(2401047)(8121501046)(5005006)(3002001)(3231023)(944501161)(9
3006095)(93001095)(10201501046)(6041268)(201703131423095)(201702281528075)(20161123555045
) (201703061421075)(201703061406153)(20161123558120)(20161123562045)(20161123564045)(20161
123560045)(6072148)(201708071742011);SRVR:CY4PR09MB2231;BCL:0;PCL:0;RULEID:(100000803101)
(100110400095);SRVR:CY4PR09MB2231;
x-forefront-prvs: 0555EC8317
x-forefront-antispam-report:
SFV:NSPM;SFS:(10019020)(39860400002)(39380400002)(396003)(366004)(376002)(346002)(199004)
(189003)(6862004)(81166006)(39060400002)(7416002)(3660700001)(102836004)(3280700002)(7736
002)(6436002)(2900100001)(25786009)(316002)(606006)(81686011)(2420400007)(53546011)(65060
07)(59450400001)(478600001)(790700001)(8666007)(236005)(72206003)(8656006)(5660300001)(55
016002)(9686003)(53936002)(3846002)(77096007)(14454004)(6306002)(15650500001)(99286004)(2
6005)(6116002)(105586002)(33656002)(66066001)(86362001)(7366002)(7406005)(7276002)(290600
2)(54896002)(8676002)(81156014)(65686004)(7336002)(97736004)(6200100001)(7110500001)(7696
005)(74316002)(106356001)(8936002)(68736007)(217873001);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR
09MB2231;H:CY4PR09MB1509.namprd09.prod.outlook.com;FPP:;SFP:None;PTR:InfoNoRecords;A:1;MX
:1;LANG:en;
received-spf: None (protection.outlook.com: epa.gov does not designate
permitted sender hosts)
x-microsoft-antispam-message-info:
/iX6lM7sTC6wq7TPId4tf2svUrqJ3mXR7WI5bjJs09hP/7pmz4JHHgRJa9CeHuTklnOOpJE6MrDrOkCNQT6pw==
spamdiagnosticoutput: 1:99
spamdiagnosticmetadata: NSPM
Content-Type: multipart/alternative;
boundary="___000___CY4PR09MB15093F59429A976C6F04E57096E90CY4PR09MB1509nampr___"
MIME-Version: 1.0
X-OriginatorOrg: epa.gov
X-MS-Exchange-CrossTenant-Network-Message-Id: 2a9f6422-b2a8-44fc-3f4d-08d55dfe95e0
X-MS-Exchange-CrossTenant-originalarrivaltime: 17 Jan 2018 23:03:55.9433
(UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB2231

Message

From: Sands, Jeffrey [sands.jeffrey@epa.gov]
Sent: 11/21/2017 9:40:25 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
CC: Subramanian, Hema [Subramanian.Hema@epa.gov]
Subject: FW: EPCRA/CERCLA status blurb
Attachments: EPCRA-CERCLA Ag Reporting Req_Status 11-21-2017.docx

Thank you very much for your work on this Hema.

Tate,

Please see TP's below and one-pager attached. Let us know if you need additional information.

Best,
Jeff

From: Subramanian, Hema
Sent: Tuesday, November 21, 2017 4:31 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: RE: EPCRA/CERCLA status blurb

Latest version of both the doc and bullets, with the prelim interpretation language included.

- Due to a DC Circuit Court of Appeals ruling, agricultural facilities/farms will be required to report air releases of ammonia and/or hydrogen sulfide ≥ 100 lbs in a 24-hour period from animal wastes under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Emergency Planning and Community Right to Know Act (EPCRA).
- The reporting requirement was expected to take effect on November 15, 2017, but EPA requested another extension until mid-January 2018. The court has not yet issued the mandate for the reporting requirement to go into effect, or decided on EPA's request for extension. Therefore, farmers do not yet have to report.
- EPA issued guidance on October 25, 2017 to provide compliance assistance to farmers on the CERCLA requirements, and to set forth EPA's preliminary interpretation of the "routine agricultural operations" exemption in EPCRA as it applies to farms: that farms using substances in "routine agricultural operations" are not subject to EPCRA's reporting requirements.
 - Waterkeeper has asked the D.C. Circuit to clarify its mandate to rule that EPA's preliminary EPCRA interpretation is not consistent with the statute.
- The National Response Center (NRC) has already begun receiving a high volume of calls, which overwhelmed their call center. EPA worked with the NRC to add an email option for farmers' initial notifications. EPA and NRC are doing their best to overcome numerous technical challenges and make systems and guidance available as fast as possible.
- Questions may be submitted to CERCLA103.guidance@epa.gov. FAQs, further information, and updates are available on EPA's website at:
www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms

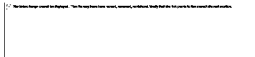
Hema Subramanian
Special Assistant to the Senior Advisor for Agriculture (detail)
Office of the Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Phone (202) 564-5041
subramanian.hema@epa.gov

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 1/17/2018 11:03:58 PM
To: 'apopelka@kla.org' [apopelka@kla.org]
Subject: Undeliverable: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Attachments: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Your message

To: Bennett, Tate
Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Sent: 1/17/2018 11:03:55 PM



Your message to apopelka@kla.org couldn't be delivered.

apopelka wasn't found at kla.org.

Bennett.Tate	Office 365	apopelka
Action Required		Recipient



Unknown To address

How to Fix It

The address might be misspelled or might not exist. Try one or more of the following:

- **Retype the recipient's address, then resend the message** - If you're using Outlook, open this non-delivery report message and click **Send Again** from the menu or ribbon. In Outlook on the web, select this message, and then click the "**To send this message again, click here.**" link located just above the message preview window. In the To or Cc line, delete and then retype the entire recipient's address (ignore any address suggestions). After typing the complete address, click **Send** to resend the message. If you're using an email program other than Outlook or Outlook on the web, follow its standard way for resending a message. Just be sure to delete and retype the recipient's entire address before resending it.
- **Remove the recipient from the recipient Auto-Complete List, then resend the message** - If you're using Outlook or Outlook on the web, follow the steps in the "Remove the recipient from the recipient Auto-Complete List" section of [this article](#). Then resend the message. Be sure to delete and retype the recipient's entire address before clicking **Send**.
- **Contact the recipient by some other means**, (by phone, for example) to confirm you're using the right address. Ask them if they've set up an email forwarding rule that could be forwarding your message to an incorrect address.

If the problem continues, ask the recipient to tell their email admin about the problem, and give them the error (and the name of the server that reported it) shown below. It's likely that only the recipient's email admin can fix this problem.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.4.1

This error occurred because a message was sent to an email address hosted by Office 365, but the address doesn't exist in the receiving organization's Office 365 directory. Directory Based Edge Blocking (DBEB) is enabled for kla.org, and DBEB rejects messages addressed to recipients who don't exist in the receiving organization's Office 365 directory. This error is reported by the recipient domain's email server, but most often it can be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

Check that the email address exists and is correct - Confirm that the recipient address exists in your Office 365 directory, is correct, and is accepting messages.

Synchronize your directories - Make sure directory synchronization is working correctly, and that the recipient's email address exists in both Office 365 and in your on-premises directory.

Check for errant forwarding rules - Check for forwarding rules for the original recipient that might be trying to forward the message to an invalid address. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Forwarding or Inbox Rules features.

Make sure the recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license to them (Users > Active Users > Select the recipient > Assigned License > Edit).

Make sure that mail flow settings and MX records are correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are set up correctly.

For more information and additional tips to fix this issue, see [this article](#).

Original Message Details

Created Date:	1/17/2018 11:03:55 PM
Sender Address:	Bennett.Tate@epa.gov
Recipient Address:	apopelka@kla.org
Subject:	UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Error Details

Reported error:	550 5.4.1 [apopelka@kla.org]: Recipient address rejected: Access denied [CO1NAM05FT040.eop-nam05.prod.protection.outlook.com]
DSN generated by:	CY4PR09MB2231.namprd09.prod.outlook.com

Remote server: CO1NAM05FT040.mail.protection.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	1/17/2018 11:03:56 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	mapi
2	1/17/2018 11:03:56 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB2231.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA

Original Message Headers

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version; bh=7EWEROa24rXitKXGzbnFLs4GuUuJ0euyqSJ/YcaGIj8=;

b=NBkYAbkxQT157vwEkO60DmqTuqyD53ia9lITqDHBNPomOx78tNLk6exDNJYhtmsFABhzoNZddGvEZ3Lf9/5IFpj bNYLGnNGBqrkcsxFqWyj5LHjgJ2SjJzU8j2VVGvoLEe/OzQJNlbSj2Q+6CCAMtLko4/VkOnm43OkzWsEeBNk=

Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by CY4PR09MB2231.namprd09.prod.outlook.com (10.172.139.141) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Wed, 17 Jan 2018 23:03:56 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id 15.20.0407.012; Wed, 17 Jan 2018 23:03:56 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>

Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Thread-Topic: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Thread-Index: AdOP51PUSDZ2LMg5ShC3zCHqc8EObA==

Importance: high

X-Priority: 1

Date: Wed, 17 Jan 2018 23:03:55 +0000

Message-ID: <CY4PR09MB15093F59429A976C6F04E57096E90@CY4PR09MB1509.namprd09.prod.outlook.com>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach:

X-MS-TNEF-Correlator:

authentication-results: spf=none (sender IP is) smtp.mailfrom=Bennett.Tate@epa.gov;

x-originating-ip: [161.80.87.199]

x-ms-publictraffictype: Email

x-microsoft-exchange-diagnostics:
1;CY4PR09MB2231;7;dThBaHwi/AYv8Bt6gePzBZS2ZGwscSzTYJWk5b4SWPuubXB+t9Upaz486PGLKb/4YHSF4kE
2i0KG+wO5s;jjFX96C7wRXsIcTwAMF5VkiXIA67mO5o4flThOKNvl831dOKrRVMbk283AljEoYLUQkdPQv960QNTFH
RN/XGuhKwvCuPQUAOBvn9rGnIMHnrXnlMGgVlVHDZCUBB+ZiHWVVMq27ecxli5IWbGUDIT917mxjcK5vrGl25dStR
VDluqd7
x-ms-office365-filtering-correlation-id: 2a9f6422-b2a8-44fc-3f4d-08d55dfe95e0
x-microsoft-antispam:
UriScan:;BCL:0;PCL:0;RULEID:(7020095)(4652020)(5600026)(4604075)(3008032)(2017052603307)(
7153060)(7193020);SRVR:CY4PR09MB2231;
z-ms-trafficdiagnostic: CY4PR09MB2231;
x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr
x-microsoft-antispam-prvs:
<CY4PR09MB2231308711FEBF15E5DA656E296E90@CY4PR09MB2231.namprd09.prod.outlook.com>
z-exchange-antispam-report-test:
UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(22942507469499
2);
x-exchange-antispam-report-cfa-test:
BCL:0;PCL:0;RULEID:(6040470)(2401047)(8121501046)(5005006)(3002001)(3231023)(944501161)(9
3006095)(93001095)(10201501046)(6041268)(201703131423095)(201702281528075)(20161123555045
) (201703061421075)(201703061406153)(20161123558120)(20161123562045)(20161123564045)(20161
123560045)(6072148)(201708071742011);SRVR:CY4PR09MB2231;BCL:0;PCL:0;RULEID:(100000803101)
(100110400095);SRVR:CY4PR09MB2231;
x-forefront-prvs: 0555EC8317
x-forefront-antispam-report:
SFV:NSPM;SFS:(10019020)(39860400002)(39380400002)(396003)(366004)(376002)(346002)(199004)
(189003)(6862004)(81166006)(39060400002)(7416002)(3660700001)(102836004)(3280700002)(7736
002)(6436002)(2900100001)(25786009)(316002)(606006)(81686011)(2420400007)(53546011)(65060
07)(59450400001)(478600001)(790700001)(8666007)(236005)(72206003)(8656006)(5660300001)(55
016002)(9686003)(53936002)(3846002)(77096007)(14454004)(6306002)(15650500001)(99286004)(2
6005)(6116002)(105586002)(33656002)(66066001)(86362001)(7366002)(7406005)(7276002)(290600
2)(54896002)(8676002)(81156014)(65686004)(7336002)(97736004)(6200100001)(7110500001)(7696
005)(74316002)(106356001)(8936002)(68736007)(217873001);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR
09MB2231;H:CY4PR09MB1509.namprd09.prod.outlook.com;FPP:;SFP:None;PTR:InfoNoRecords;A:1;MX
:1;LANG:en;
received-spf: None (protection.outlook.com: epa.gov does not designate
permitted sender hosts)
x-microsoft-antispam-message-info:
/iX6lM7sTC6wq7TPId4tf2svUrqJ3mXR7WI5bjJs09hP/7pmz4JHHgRJJa9CeHuTklnOOpJE6MrDrOkCNQT6pw==
spamdiagnosticoutput: 1:99
spamdiagnosticmetadata: NSPM
Content-Type: multipart/alternative;
boundary="___000___CY4PR09MB15093F59429A976C6F04E57096E90CY4PR09MB1509nampr___"
MIME-Version: 1.0
X-OriginatorOrg: epa.gov
X-MS-Exchange-CrossTenant-Network-Message-Id: 2a9f6422-b2a8-44fc-3f4d-08d55dfe95e0
X-MS-Exchange-CrossTenant-originalarrivaltime: 17 Jan 2018 23:03:55.9433
(UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB2231

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 1/16/2018 9:51:06 PM
To: jackfield@kvalley.com
Subject: Undeliverable: EPA fact sheets hazardous substances from animal waste
Attachments: EPA fact sheets hazardous substances from animal waste

Your message

To: Bennett, Tate
CC: Sands, Jeffrey; Gordon, Stephen; Subramanian, Hema
Subject: EPA fact sheets hazardous substances from animal waste
Sent: 1/16/2018 8:17:46 PM

spamcheck1.kvalley.com rejected your message to the following email addresses:

jackfield@kvalley.com (jackfield@kvalley.com)

There's a problem with the recipient's mailbox. Please try resending your message. If the problem continues, please contact your email admin.

spamcheck1.kvalley.com gave this error:

Mailbox unavailable. Your IP address 23.103.200.102 is blacklisted using KvalleyBL. Details: If you feel this is incorrect, please click this link to request you be unblocked:

<http://public.kvalley.com/orf/removerequest.asp?ip=23.103.200.102&sender=Bennett.Tate@epa.gov&recipient=jackfield@kvalley.com>

Diagnostic information for administrators:

Generating server: CY4PR09MB1511.namprd09.prod.outlook.com

Total retry attempts: 3

jackfield@kvalley.com

spamcheck1.kvalley.com

Remote Server returned '550 5.2.1 Mailbox unavailable. Your IP address 23.103.200.102 is blacklisted using KvalleyBL.

Details: If you feel this is incorrect, please click this link to request you be unblocked:

<http://public.kvalley.com/orf/removerequest.asp?ip=23.103.200.102&sender=Bennett.Tate@epa.gov&recipient=jackfield@kvalley.com>

Original message headers:

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;
s=selector1-epa-gov;
h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
bh=X7FGGCgmObVQxWaYop1DYWGtYLvcqLrclzaMwFge/v8=;

b=1740suMpl5tu+JEbNlMlSWwiNJOIEoblVRfMIeCPnakjtQvynw6UogOVQajeBJqeMxz9sngw0cuBX0Npj j p0oXe
aNb+TJWicv9ZNa16/ub4bKkzj9zKbGHizPpRKKuTVhtAjSh/qLwz5QAnRe2UM77O8rnX8MJ9wiPOSStqWPs=

Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by CY4PR09MB1511.namprd09.prod.outlook.com (10.173.191.145) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Tue, 16 Jan 2018 20:17:46 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id 15.20.0407.012; Tue, 16 Jan 2018 20:17:46 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>

CC: "Sands, Jeffrey" <sands.jeffrey@epa.gov>, "Gordon, Stephen" <gordon.stephen@epa.gov>, "Subramanian, Hema" <Subramanian.Hema@epa.gov>

Subject: EPA fact sheets hazardous substances from animal waste

Thread-Topic: EPA fact sheets hazardous substances from animal waste

Thread-Index: AdOPBTFjVjVjWtpgSN6lu3P82tdF+A==

Date: Tue, 16 Jan 2018 20:17:46 +0000

Message-ID: <CY4PR09MB1509B14AD1B210EA8290681796EA0@CY4PR09MB1509.namprd09.prod.outlook.com>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach: yes

X-MS-TNEF-Correlator: authentication-results: spf=none (sender IP is) smtp.mailfrom=Bennett.Tate@epa.gov;

x-originating-ip: [161.80.87.199]

x-ms-publictraffictype: Email

z-microsoft-exchange-diagnostics: 1;CY4PR09MB1511;7:ML6EwEfIRVe8DuVFW+OAXw2IPfRKCKZeBLEXKCPgy6Z/djsmrMnS4G3eNmVKNark9BGLw+qW3038idwCbJ8lkGuNtscK8xiy6/5Nq18EtqnW8ZEYcNH42OOOf3ZP1L/t5yb31qAF4biq7F2s/OL/Bu/PwexQVC9f7v1KJ/EB56Ek5zcubuf4e3X1NxxiSg/W+svLRjFk6DiE/PfEoWY5ahMBU3CpYXnWKhIXuUk6/bMT3mhrnm6B1UVGc qXy+rDG

x-ms-office365-filtering-correlation-id: 31726c22-6d11-4db0-86c0-08d55d1e351e

z-microsoft-antispam: UriScan:;BCL:0;PCL:0;RULEID:(7020095)(4652020)(5600026)(4604075)(3008032)(2017052603307)(7153060)(49563074)(7193020);SRVR:CY4PR09MB1511;

x-ms-trafficdiagnostictype: CY4PR09MB1511;

x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr

x-microsoft-antispam-prvs: <CY4PR09MB15113C5B4E7F2DAC95BA9F2796EA0@CY4PR09MB1511.namprd09.prod.outlook.com>

x-exchange-antispam-report-test: UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(229425074694992);

x-exchange-antispam-report-cfa-test: BCL:0;PCL:0;RULEID:(102415395)(6040470)(2401047)(8121501046)(5005006)(3002001)(93006095)(93001095)(3231023)(944501161)(10201501046)(6041268)(20161123560045)(20161123562045)(20161123564045)(201703131423095)(201702281528075)(20161123555045)(201703061421075)(201703061406153)(20161123558120)(6072148)(201708071742011);SRVR:CY4PR09MB1511;BCL:0;PCL:0;RULEID:(10000803101)(100110400095);SRVR:CY4PR09MB1511;

z-forefront-prvs: 0554B1F54F

z-forefront-antispam-report: SFV:NSPM;SFS:(10019020)(1496009)(346002)(366004)(396003)(39860400002)(39380400002)(376002)(189003)(199004)(7276002)(7736002)(7406005)(7336002)(7416002)(6116002)(5660300001)(74316002)(790700001)(3846002)(99936001)(7366002)(39060400002)(6862004)(99286004)(6200100001)(106356001)(8936002)(25786009)(8676002)(81156014)(81166006)(68736007)(66066001)(33656002)(4326008)(97736004)(105586002)(8666007)(9686003)(236005)(14454004)(55016002)(6436002)(4743002)(86362001)(606006)(3280700002)(59450400001)(3660700001)(2900100001)(7696005)(53936002)(2906002)(102836004)(76576003)(316002)(478600001)(6506007)(72206003)(77096006)(54906003)(6306002)(54896002)(8656006)(26005);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR09MB1511;H:CY4PR09MB1509.namprd09.prod.outlook.com;FPR:;SPF:None;PTR:InfoNoRecords;MX:1;A:1;LANG:en;

received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)

x-microsoft-antispam-message-info: THxlXRWgqNHar73tqNEk2D7DVEF65nrAUhFQa2dQOkY9ZaMJep/I2IR3unenlMXHizUUJ228+oOGqlHLNwE+rg==

spamdiagnosticoutput: 1:99

spandiagnosticsmetadata: NSPM
Content-Type: multipart/mixed;
 boundary="_005_CY4PR09MB1509B14AD1B210EA8290681796EA0CY4PR09MB1509namp_"
MIME-Version: 1.0
X-OriginatorOrg: epa.gov
X-MS-Exchange-CrossTenant-Network-Message-Id: 31726c22-6d11-4db0-86c0-08d55d1e351e
X-MS-Exchange-CrossTenant-originalarrivaltime: 16 Jan 2018 20:17:46.1263
 (UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1511

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 1/17/2018 11:03:57 PM
To: 'wacattle@k.com' [wacattle@k.com]
Subject: Undeliverable: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Attachments: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Your message

To: Bennett, Tate
Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Sent: 1/17/2018 11:03:55 PM

Delivery has failed to these recipients or groups:

'wacattle@k.com' (wacattle@k.com)

Your message couldn't be delivered. The Domain Name System (DNS) reported that the recipient's domain does not exist.

Contact the recipient by some other means (by phone, for example) and ask them to tell their email admin that it appears that their domain isn't properly registered at their domain registrar. Give them the error details shown below. It's likely that the recipient's email admin is the only one who can fix this problem.

For more information and tips to fix this issue see this article:
<https://go.microsoft.com/fwlink/?LinkId=389361>.

Diagnostic information for administrators:

Generating server: CY4PR09MB2231.namprd09.prod.outlook.com

wacattle@k.com

Remote Server returned '550 5.4.310 DNS domain k.com does not exist [Message=InfoDomainNonexistent]
[LastAttemptedServerName=k.com] [CY1GCC01FT007.eop-gcc01.prod.protection.outlook.com]'

Original message headers:

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;
s=selector1-epa-gov;
h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
bh=7EWEroa24rXitKXGxbmFLs4GuUuJ0euyqSJ/YcaGIj8=;

b=NEkYAbkxQT157vwEkO60DmqTuqyD53ia9lITqDHBNRomOx78tNlk6exDNJYhtmsFABhzonZddGvEZ3Lf9/SIPpj
bNYLGnNGBqrkcsxFqWyj5LHjgJ2SjJzU8j2VVGvoLEe/OzQJNlbSj2Q+6CCAMtLko4/VkOnm43OkzWsEeBNk=

Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by CY4PR09MB2231.namprd09.prod.outlook.com (10.172.139.141) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Wed, 17 Jan 2018 23:03:56 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id 15.20.0407.012; Wed, 17 Jan 2018 23:03:56 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>

Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Thread-Topic: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Thread-Index: AdOP51FUSDZ2LMg5ShC3zCHqo8BObA==

Importance: high

X-Priority: 1

Date: Wed, 17 Jan 2018 23:03:55 +0000

Message-ID: <CY4PR09MB15093F59429A976C6F04E57096E90@CY4PR09MB1509.namprd09.prod.outlook.com>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach:

X-MS-TNEF-Correlator:

authentication-results: spf=none (sender IP is) smtp.mailfrom=Bennett.Tate@epa.gov;

z-originating-ip: [161.80.87.199]

x-ms-publictraffictype: Email

x-microsoft-exchange-diagnostics: 1;CY4PR09MB2231;7:dThBaHwi/AYvSBt6gePzBZS2ZGwscSzTYJWk5b4SWPuubXB+t9Upaz486RGLKb/4YHSF4kb2i0KG+wo5sjjFY96C7WRXsIcTwAMF5VklziA67mo5o4flThOKNvl83ldOKrPVMbk283AljEoYLUJQkdPQv960QNTfH RN/XGuhKwvCuPQUAOBvn9rGnIMHnrXnlMGgVlVHDZCUBB+ZiHWVmq27ecx1i5IWbGUDIT917mzjcK5vrG125dStP Vdluq7

z-ms-office365-filtering-correlation-id: 2a9f6422-b2a8-44fc-3f4d-08d55dfe95e0

z-microsoft-antispam: UriScan:;BCL:0;PCL:0;RULEID:(7020095)(4652020)(5600026)(4604075)(3008032)(2017052603307)(7153060)(7193020);SRVR:CY4PR09MB2231;

x-ms-traffictypediagnostic: CY4PR09MB2231;

x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr

x-microsoft-antispam-prvs: <CY4PR09MB2231308711FBF15E5DA656E296E90@CY4PR09MB2231.namprd09.prod.outlook.com>

z-exchange-antispam-report-test: UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(229425074694992);

x-exchange-antispam-report-cfa-test: BCL:0;PCL:0;RULEID:(6040470)(2401047)(8121501046)(5005006)(3002001)(3231023)(944501161)(93006095)(93001095)(10201501046)(6041268)(201703131423095)(201702281528075)(20161123555045)(201703061421075)(201703061406153)(20161123558120)(20161123562045)(20161123564045)(20161123560045)(6072148)(201708071742011);SRVR:CY4PR09MB2231;BCL:0;PCL:0;RULEID:(100000803101)(100110400095);SRVR:CY4PR09MB2231;

x-forefront-prvs: 0555EC8317

x-forefront-antispam-report: SFV:NSPM;SFS:(10019020)(39860400002)(39380400002)(396003)(366004)(376002)(346002)(199004)(189003)(6862004)(81166006)(39060400002)(7416002)(3660700001)(102836004)(3280700002)(7736002)(6436002)(2900100001)(25786009)(316002)(606006)(81686011)(2420400007)(53546011)(6506007)(59450400001)(478600001)(790700001)(8666007)(236005)(72206003)(8656006)(5660300001)(55016002)(9686003)(53936002)(3846002)(77096007)(14454004)(6306002)(15650500001)(99286004)(26005)(6116002)(105586002)(33656002)(66066001)(86362001)(7366002)(7406005)(7276002)(2906002)(54896002)(8676002)(81156014)(65686004)(7336002)(97736004)(6200100001)(7110500001)(7696005)(74316002)(106356001)(8936002)(68736007)(217873001);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR09MB2231;H:CY4PR09MB1509.namprd09.prod.outlook.com;FPP:;SFE:None;PTR:InfoNoRecords;A:1;MX:1;LANG:en;

received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)

x-microsoft-antispam-message-info:
/iX6lM7sTC6wq7TPId4tff2svUrjqJ3mXR7WI5bjJs09hP/7pmz4JHhgRJa9CeHuTklnOOOpJE6MrDrOkCNQT6pw==
spamdiagnosticoutput: 1:99
spamdiagnosticmetadata: NSPM
Content-Type: multipart/alternative;
 boundary="_000_CY4PR09MB15093F59429A975C6F04E57096E90CY4PR09MB1509nanp_"
MIME-Version: 1.0
X-OriginatorOrg: epa.gov
X-MS-Exchange-CrossTenant-Network-Message-Id: 2a9f6422-b2a8-44fc-3f4d-08d55dfe95e0
X-MS-Exchange-CrossTenant-originalarrivaltime: 17 Jan 2018 23:03:55.9433
 (UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB2231

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 11/30/2017 8:59:27 PM
To: 'isoly@agricultorpr.org' [isoly@agricultorpr.org]
Subject: Undeliverable: CERCLA-EPCRA Update
Attachments: CERCLA-EPCRA Update

Your message

To: Bennett, Tate
CC: Gordon, Stephen
Subject: CERCLA-EPCRA Update
Sent: 11/28/2017 8:57:12 PM

Delivery has failed to these recipients or groups:

'isoly@agricultorpr.org' (isoly@agricultorpr.org)

Your message wasn't delivered. Despite repeated attempts to deliver your message, a connection to the remote server couldn't be made.

Contact the recipient by some other means (by phone, for example) and ask them to tell their email admin that it appears that your email system is unable to connect to their email system. Give them the error details shown below. It's likely that the recipient's email admin is the only one who can fix this problem.

For more information and tips to fix this issue see this article:
<https://go.microsoft.com/fwlink/?LinkId=389361>.

Diagnostic information for administrators:

Generating server: CY4PR09MB1512.namprd09.prod.outlook.com
Receiving server: CY4PR09MB1512.namprd09.prod.outlook.com

isoly@agricultorpr.org

11/30/2017 8:59:27 PM - Server at CY4PR09MB1512.namprd09.prod.outlook.com returned '550 5.4.317 Message expired, cannot connect to remote server(421 4.2.1 Unable to connect)'

11/30/2017 8:56:25 PM - Server at agricultorpr.org (141.8.225.31) returned '450 4.4.317 Cannot connect to remote server [Message=421 4.2.1 Unable to connect] [LastAttemptedServerName=agricultorpr.org] [LastAttemptedIP=141.8.225.31:25] [CY1GCC01FT007.eop-gcc01.prod.protection.outlook.com](421 4.2.1 Unable to connect)'

Original message headers:

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;
s=selector1-epa-gov;
h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
bh=r9+uyLGTjyW/dsnaYZAm4h2yuyw88EO8YbqS0Dzpzwc=;

b=UCoaOf6rUqpgn6v5l9+wCG82c/BZq5jSMFPRKihhaeyKsIvcpliei4raCWayOMmdqpT2qzSLbmroJJJeXk3O86x/6f
53vULnOtZlZg/tSdMQhlfzq8+PeKUab9H7ewh17OMI1HD3/N4LLOyxNVXZYXGbAjfZ4WThwLoxM4stYFTnJI=
Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by
CY4PR09MB1512.namprd09.prod.outlook.com (10.173.191.146) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.260.4; Tue, 28 Nov 2017 20:57:13 +0000
Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by
CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
15.20.0260.007; Tue, 28 Nov 2017 20:57:13 +0000
From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
CC: "Gordon, Stephen" <gordon.stephen@epa.gov>
Subject: CERCLA-EPCRA Update
Thread-Topic: CERCLA-EPCRA Update
Thread-Index: AdNj8qj2YHLzHWLnRM+brfGmCWXdngEmC52g
Date: Tue, 28 Nov 2017 20:57:12 +0000
Message-ID:
<CY4PR09MB15092B4D3B80CB03194AD79E963A0@CY4PR09MB1509.namprd09.prod.outlook.com>
Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
authentication-results: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;
x-originating-ip: [161.80.87.199]
x-ms-publictraffictype: Email
x-microsoft-exchange-diagnostics:
1;CY4PR09MB1512;6:5zMWc+JwP4smMwIEgayXD9M3fVdDv7aM2KcVUK1N/AnsjiCe6nFW3GcSNmiYn5rm7+nJkHY
wEXQ4wpXd14FQJ7KoElpXOMRnE38ZDOvBso24W3iE6aW+onryfNCTeNk93Q9tDaLqAP0zPjgK3dVXQzYsLoqSgsA7
o+7D9C+tMQtk3Ccr3klist0e6Uc5W20jsfRqcikGGm9aZHjLjtOOJJULcc8nQQacGKfY5lOfKxRNQ2jVom7DWnKmM
+Flv2Qyrr7NiKIRB7n2emkA+9zJE7px3ak36+uVLFuJfsIJFW+LbMeNRKA49Mp48z4CA+rC4x6ilIyz7F0nUmTS7L
h5ljEEKVCseaxG9Ijj12jDdh8=;5:yAMMACogyKponetgwnWpUPqTp+3Mepax5nEHWNEsinrAmzF03qjnRiE92jJt
VYPYV18F0hLeHNguDuTz8yY4/CdG6BqVd310EteSmq7AnVvOC+vxvTJozqcYrlhN4Dv8cBhkcnLxehLwdJG1/lm
K2EIQbo859DbFN/5xszc8Q=;24:1/SwL5ANZl+8U9YZYKqZITQL7E9fyp28loKfNUqtNv/rSUz5HpuwYYSZsMbRf2
B0WKNqrwCNfRFBPAreqyxdC7p1h1+zf5WCuk/uYdJ47us=;7:NjJavGLQ65FIzXh4WCXcGICqGcc1+HSq8qRC2UQy
sosoctHrny4vvbAMcmkHI3znJ3m2ofm0uoEPm/vxmamarrXkLI2GO7JTDrvjk2sCgABsZz43X/0OzkVkhcb7z1Iun
OVNMA+QbsrHbAPUhzKeiue8HO0s108TYIyzzXP/t0qL37IkVvtMkQXbEnIDgC/4GZ/4c2P/AJP+ordxwZucJGC3Li
zPoYE3ICNHn8e4069OhU9q4hUc1D2Dqvi5DY8C
x-ms-office365-filtering-correlation-id: a3d54611-be1e-414a-cdf4-08d536a2997e
x-microsoft-antispam:
UriScan:;BCL:0;PCL:0;RULEID:(4534020)(4602075)(4627115)(201703031133081)(201702281549075)
(5600026)(4604075)(2017052603258);SRVR:CY4PR09MB1512;
X-MS-TrafficTypeDiagnostic: CY4PR09MB1512:|CY4PR09MB1512:|CY4PR09MB1512:
z-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7, EztAddr
x-microsoft-antispam-prvs:
<CY4PR09MB15125289ED9254A6D07A1446963A0@CY4PR09MB1512.namprd09.prod.outlook.com>
x-exchange-antispam-report-test:
UriScan:(18691203564520)(261320762254229)(227612066756510)(21748063052155)(21117122073366
0)(229425074694992);
x-exchange-antispam-report-cfa-test:
BCL:0;PCL:0;RULEID:(6040450)(2401047)(8121501046)(5005006)(10201501046)(93006095)(9300109
5)(3002001)(3231022)(6041248)(20161123555025)(201703131423075)(201702281528075)(201703061
421075)(201703061406153)(20161123560025)(20161123562025)(20161123564025)(20161123558100)(
6072148)(201708071742011);SRVR:CY4PR09MB1512;BCL:0;PCL:0;RULEID:(100000803101)(1001104000
95);SPVR:CY4PR09MB1512;
x-forefront-prvs: 0505147DDB
x-forefront-antispam-report:
SFV:NSPM;SFS:(10019020)(376002)(346002)(366004)(15604003)(189002)(85664002)(199003)(40154

002) (66066001) (53936002) (3480700004) (54896002) (9686003) (6306002) (189998001) (236005) (33656
002) (4326008) (8656006) (105586002) (106356001) (6862004) (39060400002) (99286004) (101416001) (1
6865895004) (733005) (3280700002) (77096006) (8666007) (6506006) (6436002) (2420400007) (966005) (1
15650500001) (10710500007) (16799955002) (2906002) (3660700001) (15974865002) (861006) (72206003
) (478600001) (19610725007) (7736002) (68736007) (14454004) (74316002) (81156014) (8676002) (81166
006) (25786009) (55016002) (8936002) (2900100001) (7110500001) (790700001) (7406005) (3846002) (86
362001) (7366002) (6116002) (102836003) (5660300001) (7336002) (7416002) (97736004) (606006) (7276
002) (50986999) (54356999) (6200100001) (7696005) (65686004) (53546010) (316002) (16866105001) (15
695565005); DIR:OUT; SFP:1102; SCL:1; SRVR:CY4PR09MB1512; H:CY4PR09MB1509.namprd09.prod.outloo
k.com; FPR:; SPF:None; PTR:InfoNoRecords; MX:1; A:1; LANG:en;
received-spf: None (protection.outlook.com: epa.gov does not designate
permitted sender hosts)
spamdiasgnosticoutput: 1:99
spamdiasgnosticmetadata: NSPM
Content-Type: multipart/alternative;
boundary="____000____CY4PR09MB15092B4D3B80CE03194AD79E963A0CY4PR09MB1509nampr____"
MIME-Version: 1.0
X-MS-Exchange-CrossTenant-Network-Message-Id: a3d54611-bele-414a-cdf4-08d536a2997e
X-MS-Exchange-CrossTenant-originalarrivaltime: 28 Nov 2017 20:57:12.8588
(UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1512
X-Microsoft-Exchange-Diagnostics:
1;CY4PR09MB1512;23:nTK0hba5ZMrrolsMf4nIJZ0vwJ39MigblgUa8ycyLQnEknunvcGmMYwdEQ/FYK+iBDr6PT
2PTdvBD29ICUbdU2upASSCAC2wywOvaMqYmg5VLVa8HAj0e4/mStRy19N0Rog7YEWll+eqz42gCc7H+A==;23:I4v
IOiwYjnBZZ+gNJ3mScXq8cMugfyjLvTQkSh/7/yYftUA152s9v1/fTrNFNNCmBw16ItWRD4huZgXfO3lQeLRCyY28
JlptRX0jyk8nzMuzFjwi9HFEYkGUTpYDVIGZyB4FokJz0eedS5FEdeutCA==
X-OriginatorOrg: epa.gov

Message

From: Michael Formica [formicam@nppc.org]
Sent: 11/9/2017 7:50:40 PM
To: Cheatham, Reggie [cheatham.reggie@epa.gov]
CC: Sands, Jeffrey [sands.jeffrey@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]
Subject: RE: URGENT: The latest info on CERCLA/EPCRA reporting requirements for farms

Thanks!

From: Cheatham, Reggie [mailto:cheatham.reggie@epa.gov]
Sent: Thursday, November 09, 2017 2:50 PM
To: Michael Formica <formicam@nppc.org>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>
Subject: Re: URGENT: The latest info on CERCLA/EPCRA reporting requirements for farms

It will assign a number but we have decided for the purposes of this reporting all farms will receive the same number if they use the email system. If they call they will receive a unique number.

Thanks

Reggie Cheatham, Director
Office of Emergency Management, USEPA
202/564-8003(o)/202/689-9400
Doris Williams, Executive Assistant
202/564-0053

On Nov 9, 2017, at 2:27 PM, Michael Formica <formicam@nppc.org> wrote:

Reggie,

This will be incredibly helpful. Just need one clarification regarding the automated response system. Will it assign a since CR-ENS number per email? Or will it assign multiple numbers if there are multiple farms listed in an email?

For instance, if Hog Farmer Bill sends an email and reports 200 farms. Will he have one CR-ENS number to use for each of his farms? Or will he receive 200 different numbers, each unique to an individual farm?

Begin forwarded message:

From: "Cheatham, Reggie" <cheatham.reggie@epa.gov>
Date: November 9, 2017 at 1:49:10 PM EST
To: "Lewis, Jen" <Lewis.Jen@epa.gov>, "Simon, Nigel" <Simon.Nigel@epa.gov>, "Breen, Barry" <Breen.Barry@epa.gov>, "Fotouhi, David" <Fotouhi.David@epa.gov>, "Bennett, Tate" <Bennett.Tate@epa.gov>, "Sands, Jeffrey" <sands.jeffrey@epa.gov>, "Michaud, John" <Michaud.John@epa.gov>
Cc: "Clark, Becki" <Clark.Beki@epa.gov>, "Salo, Earl" <Salo.Earl@epa.gov>, "Swenson, Erik" <Swenson.Erik@epa.gov>, "Brooks, Becky" <Brooks.Becky@epa.gov>, "Taylor, Trish" <Taylor.Trish@epa.gov>, "Cogliano, Gerain" <Cogliano.Gerain@epa.gov>,

"Noggle, William" <Noggle.William@epa.gov>, "Jacob, Sicy" <Jacob.Sicy@epa.gov>,
"Hostage, Barbara" <Hostage.Barbara@epa.gov>, "Hull, George"
<Hull.George@epa.gov>, "Principe, Vanessa" <Principe.Vanessa@epa.gov>

Subject: URGENT: The latest info on CERCLA/EPCRA reporting requirements for farms

I want to provide the latest information on our efforts to assist farmers to comply with CERCLA/EPCRA reporting requirements. As you are aware, we recently provided a website for farmers who, on November 15th, may have to report their air releases from animal waste on their farms. This website provides guidance for farmers on how to estimate their releases from animal waste and how to report those releases if they meet or exceed the reportable quantity for that release. Prior to and since the release of this guidance, we have been working closely with the Ag community (including Ag Trade Association, Regional/State Ag Advisors, etc.), to make them aware of this guidance, get feedback, and identify issues.

Several issues that have arisen relate to the initial notification to the National Response Center (NRC). First, there is the potential for the NRC to be overwhelmed with calls on November 15th due to the number of farm owners/operators that will need to report. Second, some farm owners/operators have begun reporting to the NRC. The automated system the NRC uses to ensure release notifications get to the appropriate Federal, State, and local response officials, has resulted in some State and local officials calling the farm owners/operators to get more information about the release they reported and what response is needed. In order to resolve these issues, we (OEM and OGC) have been working with the NRC program officials and attorneys, and have identified the following solution:

- The NRC will establish an email notification system so farm owners/operators can email their continuous release reports to the NRC rather than calling the NRC 800 number. Farmers who have multiple farms can list the name and location of all farms, as well as the associated name(s) of hazardous substance(s) released, in one e-mail.
- Once the email is received by the NRC email notification system, it will generate an automatic response e-mail with a generic identification number (CR-ERNS) for the farm. The farm owner/operator will place that CR-ERNS number on the follow-up written notification report that is required to be submitted to EPA Regional Office within 30 days.
- Additionally, the NRC will email the farm owner/operator's continuous release notification to the EPA who will organize the notification in a spreadsheet and make that information

available to the EPA Regional offices. This will alleviate inundating the EPA Regional office with continuous release reports.

The initial notification by e-mail, rather than by telephone, will help to avoid expected long hold delays, telephone system "crashes," and related inconveniences when reporting for farmers starts on November 15, 2017. EPA and the NRC consider the use of e-mail in this instance as complying with the immediate notification requirement of CERCLA section 103.

We are working to have this system in place by Tuesday, November 14th or sooner if possible. We will be revising have updated our website and guidance to communicate this streamlined reporting option for farmers:

"Due to the potential for large call volumes to the National Response Center (NRC), we are establishing an email option for initial continuous release notifications. The system should be available by November 15, 2017. Farm owners/operators should consider using the email option once it is available. This expedited option will allow one email notification for owners/operators with multiple farms."

Please let us know if you have any questions.

Thanks

Reggie Cheatham, Director
Office of Emergency Management
202/564-8003(w) 202/689-9400(c)
cheatham.reggie@epa.gov
Doris Williams, Executive Assistant
202/564-0053

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 1/17/2018 10:02:31 PM
To: jackfield@kvalley.com
Subject: Undeliverable: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Attachments: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Your message

To: Bennett, Tate
Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Sent: 1/17/2018 7:29:21 PM

spamcheck1.kvalley.com rejected your message to the following email addresses:

jackfield@kvalley.com (jackfield@kvalley.com)

There's a problem with the recipient's mailbox. Please try resending your message. If the problem continues, please contact your email admin.

spamcheck1.kvalley.com gave this error:

Mailbox unavailable. Your IP address 23.103.200.125 is blacklisted using KvalleyBL. Details: If you feel this is incorrect, please click this link to request you be unblocked:

<http://public.kvalley.com/orf/removerequest.asp?ip=23.103.200.125&sender=Bennett.Tate@epa.gov&recipient=jackfield@kvalley.com>

Diagnostic information for administrators:

Generating server: CY4PR09MB1448.namprd09.prod.outlook.com
Total retry attempts: 4

jackfield@kvalley.com
spamcheck1.kvalley.com

Remote Server returned '550 5.2.1 Mailbox unavailable. Your IP address 23.103.200.125 is blacklisted using KvalleyBL. Details: If you feel this is incorrect, please click this link to request you be unblocked: <http://public.kvalley.com/orf/removerequest.asp?ip=23.103.200.125&sender=Bennett.Tate@epa.gov&recipient=jackfield@kvalley.com>'

Original message headers:

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version; bh=+jIb//Ya8xKr2c6qxGh9KF3hImcbKmwU13LY70LC0AY=;

b=X3Sf+KYkn5rYp6kP0P0K04tNWFc1E++huzlXg4zlw+CizjD9QuAx7xWr5Zlv8lFhE5tA125G4cMmggkMQexF3htCMG84dVTP4tKxX9ueSqUf44N02/bqPOp7ElZfydAG9yhLAeinlZ+IxSnIX+r8HLdiH+mhXd762bneQhqXhOw=
Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by

CY4PR09MB1448.namprd09.prod.outlook.com (10.173.191.18) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Wed, 17 Jan 2018 19:29:22 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id 15.20.0407.012; Wed, 17 Jan 2018 19:29:22 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>

Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Thread-Topic: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Thread-Index: AdOPyVa+mYWK2DbCRceEFMi5JBU8Nw==

Importance: high

X-Priority: 1

Date: Wed, 17 Jan 2018 19:29:21 +0000

Message-ID: <CY4PR09MB1509EB8DE7D0E3B440A4DAE496E90@CY4PR09MB1509.namprd09.prod.outlook.com>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach:

X-MS-TNEF-Correlator:

authentication-results: spf=none (sender IP is) smtp.mailfrom=Bennett.Tate@epa.gov;

x-originating-ip: [161.80.87.199]

x-ms-publictraffictype: Email

z-microsoft-exchange-diagnostics: 1;CY4PR09MB1448;7:AQOfUmArdggNlVW6NPYrItGNzdotkYipIG2cldcCT7xPVzqk8bzzxZF0HUdrSzINaRCLdHjNqBT2/Qc0mwtku+n/IQliYtWTMx1PwvzZJOWmJnWhsTP5PlDYmY7HCxobBIaVrhAf71T3wBCOzOiTw67znQM6L3kIQm8o6Pm6EmcxBIfy3Iq4NUspM/cS+UyLHavh7Y2hYP7dNyAzxnWYuaRmSpOPOfIth4Y5uXnlyJ5h4wAFJ5dGvvNWg4FB/t

x-ms-office365-filtering-correlation-id: 16b16243-8802-4c31-9bfb-08d55de09c5c

z-microsoft-antispam: UriScan:;BCL:0;PCL:0;RULEID:(7020095)(4652020)(5600026)(4604075)(3008032)(2017052603307)(7153060)(7193020);SRVR:CY4PR09MB1448;

x-ms-trafficdiagnostictype: CY4PR09MB1448;

x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr

x-microsoft-antispam-prvs: <CY4PR09MB1448CBDE56440836037E20796E90@CY4PR09MB1448.namprd09.prod.outlook.com>

x-exchange-antispam-report-test: UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(229425074694992);

x-exchange-antispam-report-cfa-test: BCL:0;PCL:0;RULEID:(6040470)(2401047)(8121501046)(5005006)(3002001)(93006095)(93001095)(3231023)(944501161)(10201501046)(6041268)(20161123562045)(20161123564045)(201703131423095)(201702281528075)(20161123555045)(201703061421075)(201703061406153)(20161123558120)(20161123560045)(6072148)(201708071742011);SRVR:CY4PR09MB1448;BCL:0;PCL:0;RULEID:(100000803101)(100110400095);SRVR:CY4PR09MB1448;

z-forefront-prvs: 0555EC8317

z-forefront-antispam-report: SFV:NSPM;SFS:(10019020)(376002)(396003)(39380400002)(346002)(39860400002)(366004)(199004)(189003)(54896002)(3846002)(6306002)(6116002)(55016002)(790700001)(478600001)(39060400002)(8666007)(72206003)(6436002)(6862004)(105586002)(106356001)(7336002)(236005)(14454004)(53936002)(7276002)(7416002)(2906002)(66066001)(9686003)(77096007)(97736004)(33656002)(8656006)(7366002)(99286004)(7736002)(74316002)(606006)(7406005)(316002)(68736007)(102836004)(6200100001)(7696005)(6506007)(81156014)(2900100001)(59450400001)(8676002)(81686011)(8936002)(26005)(65686004)(3280700002)(81166006)(3660700001)(5660300001)(25786009)(86362001)(217873001);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR09MB1448;H:CY4PR09MB1509.namprd09.prod.outlook.com;FPR:;SPF:None;PTR:InfoNoRecords;A:1;MX:1;LANG:en;

received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)

x-microsoft-antispam-message-info: bqtJUJR2NvXeHUIcOLOz2LqhalOKVWBdTLQldmrqWNpIunxhQusZdByzgYIQdl6YY+2D8pn2Feg0t6/NEWSj8tg==

spamdianagnosticoutput: 1:99

spandiagnosticsmetadata: NSPM
Content-Type: multipart/alternative;
 boundary="_000_CY4PR09MB1509EB8DE7D0E3B440A4DAE496E90CY4PR09MB1509namp_"
MIME-Version: 1.0
X-OriginatorOrg: epa.gov
X-MS-Exchange-CrossTenant-Network-Message-Id: 16b16243-8802-4c31-9bfb-08d55de09c5c
X-MS-Exchange-CrossTenant-originalarrivaltime: 17 Jan 2018 19:29:21.8759
 (UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1448

Message

From: Michael Formica [formicam@nppc.org]
Sent: 11/9/2017 7:32:05 PM
To: Jennings, Kim [Jennings.Kim@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]
CC: Gioffre, Patricia [Gioffre.Patricia@epa.gov]
Subject: RE: CAFO Air Emission Reporting

Thank you Kim!

From: Jennings, Kim [mailto:Jennings.Kim@epa.gov]
Sent: Thursday, November 09, 2017 2:31 PM
To: Michael Formica <formicam@nppc.org>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gioffre, Patricia <Gioffre.Patricia@epa.gov>
Subject: RE: CAFO Air Emission Reporting

Hi Mike,

Just wanted to let you know that we have updated our website to note the following:

Attention:

Farms with continuous releases must submit their initial continuous release notification starting on November 15, 2017. Due to the potential for large call volumes to the National Response Center (NRC), we are establishing an email option for initial continuous release notifications. The system should be available by November 15, 2017. Farm owners/operators may use the email option once it is available, rather than calling the NRC. This expedited option will allow one email notification for owners/operators with multiple farms.

We hope to have the system in place early next week.

Thanks,
Kim

Kim Jennings
Division Director || Regulations Implementation Division
U.S. Environmental Protection Agency || Office of Emergency Management
E-mail: jennings.kim@epa.gov || Desk: (202) 564-7998 ||

From: Michael Formica [mailto:formicam@nppc.org]
Sent: Thursday, November 09, 2017 12:16 PM
To: Jennings, Kim <Jennings.Kim@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gioffre, Patricia <Gioffre.Patricia@epa.gov>
Subject: RE: CAFO Air Emission Reporting

Thanks. This is helpful.

From: Jennings, Kim [mailto:Jennings.Kim@epa.gov]
Sent: Thursday, November 09, 2017 12:15 PM

To: Michael Formica <formicam@nppc.org>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>

Cc: Gioffre, Patricia <Gioffre.Patricia@epa.gov>

Subject: RE: CAFO Air Emission Reporting

Hi Mike,

Yes, what you heard is correct. We have been in pretty much constant contact with the NRC to develop this 'fix'. We need to get some things finalized before it is in place and we will be putting some information up on the website soon(probably within the hour) stating that we are working on this improvement in NRC notification for farms and request that farms hold off reporting until the 15th to give us time to get this in place.

Regarding the NRC only taking one report at a time, that is also correct and this new notification improvement will allow for multiple reports.

I will let you know as soon as that happens.

Thanks,
Kim

Kim Jennings
Division Director || Regulations Implementation Division
U.S. Environmental Protection Agency || Office of Emergency Management
E-mail: jennings.kim@epa.gov || Desk: (202) 564-7998 ||

From: Michael Formica [<mailto:formicam@nppc.org>]

Sent: Thursday, November 09, 2017 12:08 PM

To: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>

Subject: CAFO Air Emission Reporting

Heard from a lawyer in Iowa that when they called in this morning to begin reporting farms, the NRC operator told them that there was a web page that would be coming on line next week to allow multiple reports to be filed at a single time.

Do you know if this is true? If so, that would be very helpful.

Also getting a lot go calls from folks in North Carolina. Apparently the NRC operators (there seem to only be two who cover all of North Carolina) won't allow them to report more than 2 farms at a time because "they can't risk to have the phone lines tied up receiving non emergency reports."

Michael C. Formica
Assistant Vice President & Legal Counsel, Domestic Policy
National Pork Producers Council
202.680.3820

Message

From: Kunickis, Sheryl - OSEC [Sheryl.Kunickis@osec.usda.gov]
Sent: 11/28/2017 9:29:01 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Re: CERCLA-EPCRA Update

Thank you!

Sent from my iPad

On Nov 28, 2017, at 3:57 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Good afternoon,

No policy changes to announce, but rather just wanted to share our press release which just went out this afternoon on the deadline extension. Please see below.

-Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

CONTACT: press@epa.gov

DC Circuit Court Grants Trump EPA Request to Extend Deadline for Farmers to Report Emissions from Livestock Operations

WASHINGTON (November 28, 2017) — On Wednesday, November 22, 2017, in response to a request from the Trump Administration EPA, the DC Circuit Court of Appeals effectively extended the deadline for farmers to report air releases of hazardous substances from animal waste at livestock operations until January 22, 2018. The decision postponed the effective date of the Court's April 2017 decision vacating an EPA rule that exempted these farms from certain statutory reporting obligations.

“EPA is committed to providing America’s farmers and ranchers - people committed to conserving the land and the environment- the clarity needed in meeting their reporting obligations required by law,” said **EPA Administrator Scott Pruitt**.

Under the Trump Administration, EPA sought this additional time in order to provide compliance assistance to farmers, update its guidance, and develop a more-streamlined reporting form. With the Court’s decision, farmers are not required to report emissions from animal waste at these facilities until after the Court issues its mandate, expected no sooner than January 22, 2018.

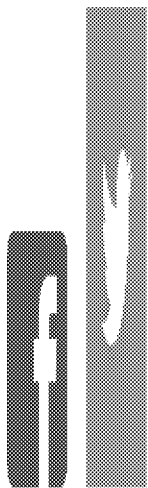
Background:

On April 11, 2017, the DC Circuit Court vacated an EPA rule finalized on December 18, 2008, that exempted most farms from certain release reporting requirements in two statutes, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right to Know Act (EPCRA).

In response to a request from the Trump Administration EPA, the DC Circuit Court extended the effective date of its decision to vacate the 2008 rule to November 15, 2017. In response to a second request from the current administration EPA, the DC Circuit Court further extended that date to January 22, 2018. As such, farmers now do not need to report emissions under CERCLA until January 22, 2018 at the earliest when the D.C. Circuit Court is expected to issue its mandate.

EPA has prepared guidance that includes links to resources that farmers can consider when calculating emissions for specific species of livestock.

To view EPA’s guidance and Frequently Asked Questions on reporting air emissions from animal waste: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>



Visit the EPA's
Newsroom

From: Bennett, Tate

Sent: Wednesday, November 22, 2017 7:56 PM

To: Bennett, Tate <Bennett.Tate@epa.gov>

Subject: CERCLA-EPCRA Update

All-

As you may have seen, earlier today, the DC Circuit Court of Appeals granted EPA's motion to **further stay the mandate** of its decision vacating EPA's 2008 rule exempting farms from CERCLA and EPCRA emissions reporting requirements **until January 22, 2018**. More information can be found on EPA's website [here](#).

Happy Thanksgiving Eve.
Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

Message

From: Campbell, Laura [lcampbe@michfb.com]
Sent: 11/28/2017 9:03:48 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
CC: Kran, John [jkran@michfb.com]
Subject: FW: CERCLA-EPCRA Update

Thanks Tate! We appreciate the update and all your help. Please let us know if you find out any more information or develop any additional materials we can share with farmers.

Laura A. Campbell
Manager, Ag Ecology Department
Michigan Farm Bureau
Office: 517-679-5332 Cell: 517-420-7936
Email: lcampbe@michfb.com

From: Kran, John
Sent: Tuesday, November 28, 2017 4:02 PM
To: Campbell, Laura <lcampbe@michfb.com>
Subject: Fwd: CERCLA-EPCRA Update

John Kran
Michigan Farm Bureau

Sent from my iPad

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: November 28, 2017 at 3:57:12 PM EST
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Gordon, Stephen" <gordon.stephen@epa.gov>
Subject: CERCLA-EPCRA Update

This email was delivered from outside the Farm Bureau Family of Companies - Please do not click on links or open attachments unless you are sure of its content.

Good afternoon,

No policy changes to announce, but rather just wanted to share our press release which just went out this afternoon on the deadline extension. Please see below.

-Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov



U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

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CONTACT: press@epa.gov

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Background:

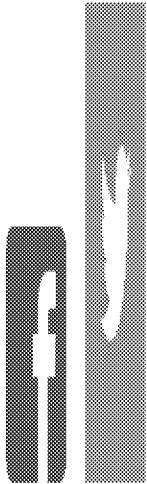
On April 11, 2017, the DC Circuit Court vacated an EPA rule finalized on December 18, 2008, that exempted most farms from certain release reporting requirements in two statutes, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right to Know Act (EPCRA).

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Visit the EPA's
Newsroom

From: Bennett, Tate
Sent: Wednesday, November 22, 2017 7:56 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: CERCLA-EPCRA Update

All-

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Happy Thanksgiving Eve.
Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Christian Richter [crichter@thepolicygroup.com]
Sent: 11/9/2017 7:18:17 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Re: URGENT: The latest info on CERCLA/EPCRA reporting requirements for farms

Thanks, Tate.

Just finished call with OGC re the DC Circuit extension and latest concerns and possible solutions.

Will be back in touch.

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Thursday, November 9, 2017 2:02:52 PM
To: Bennett, Tate
Subject: Fwd: URGENT: The latest info on CERCLA/EPCRA reporting requirements for farms

FYI we will move to a email process for reporting requirements. The latest below.

Begin forwarded message:

From: "Cheatham, Reggie" <cheatham.reggie@epa.gov>
Date: November 9, 2017 at 1:49:10 PM EST
To: "Lewis, Jen" <Lewis.Jen@epa.gov>, "Simon, Nigel" <Simon.Nigel@epa.gov>, "Breen, Barry" <Breen.Barry@epa.gov>, "Fotouhi, David" <Fotouhi.David@epa.gov>, "Bennett, Tate" <Bennett.Tate@epa.gov>, "Sands, Jeffrey" <sands.jeffrey@epa.gov>, "Michaud, John" <Michaud.John@epa.gov>
Cc: "Clark, Becki" <Clark.Beki@epa.gov>, "Salo, Earl" <Salo.Earl@epa.gov>, "Swenson, Erik" <Swenson.Erik@epa.gov>, "Brooks, Becky" <Brooks.Becky@epa.gov>, "Taylor, Trish" <Taylor.Trish@epa.gov>, "Cogliano, Gerain" <Cogliano.Gerain@epa.gov>, "Noggle, William" <Noggle.William@epa.gov>, "Jacob, Sicy" <Jacob.Sicy@epa.gov>, "Hostage, Barbara" <Hostage.Barbara@epa.gov>, "Hull, George" <Hull.George@epa.gov>, "Principe, Vanessa" <Principe.Vanessa@epa.gov>
Subject: **URGENT: The latest info on CERCLA/EPCRA reporting requirements for farms**

I want to provide the latest information on our efforts to assist farmers to comply with CERCLA/EPCRA reporting requirements. As you are aware, we recently provided a [website](#) for farmers who, on November 15th, may have to report their air releases from animal waste on their farms. This website provides guidance for farmers on how to estimate their releases from animal waste and how to report those releases if they meet or exceed the reportable quantity for that release. Prior to and since the release of this guidance, we have been working closely with the Ag community (including Ag Trade Association, Regional/State Ag Advisors, etc.), to make them aware of this guidance, get feedback, and identify issues.

Several issues that have arisen relate to the initial notification to the National Response Center (NRC). First, there is the potential for the NRC to be overwhelmed with calls on November 15th due to the number of farm owners/operators that will need to report. Second, some farm owners/operators have begun reporting to the NRC. The

automated system the NRC uses to ensure release notifications get to the appropriate Federal, State, and local response officials, has resulted in some State and local officials calling the farm owners/operators to get more information about the release they reported and what response is needed. In order to resolve these issues, we (OEM and OGC) have been working with the NRC program officials and attorneys, and have identified the following solution:

- ✧ The NRC will establish an email notification system so farm owners/operators can email their continuous release reports to the NRC rather than calling the NRC 800 number. Farmers who have multiple farms can list the name and location of all farms, as well as the associated name(s) of hazardous substance(s) released, in one e-mail.
- ✧ Once the email is received by the NRC email notification system, it will generate an automatic response e-mail with a generic identification number (CR-ERNS) for the farm. The farm owner/operator will place that CR-ERNS number on the follow-up written notification report that is required to be submitted to EPA Regional Office within 30 days.
- ✧ Additionally, the NRC will email the farm owner/operator's continuous release notification to the EPA who will organize the notification in a spreadsheet and make that information available to the EPA Regional offices. This will alleviate inundating the EPA Regional office with continuous release reports.

The initial notification by e-mail, rather than by telephone, will help to avoid expected long hold delays, telephone system "crashes," and related inconveniences when reporting for farmers starts on November 15, 2017. EPA and the NRC consider the use of e-mail in this instance as complying with the immediate notification requirement of CERCLA section 103.

We are working to have this system in place by Tuesday, November 14th or sooner if possible. We will be revising have updated our website and guidance to communicate this streamlined reporting option for farmers:

"Due to the potential for large call volumes to the National Response Center (NRC), we are establishing an email option for initial continuous release notifications. The system should be available by November 15, 2017. Farm owners/operators should consider using the email option once it is available. This expedited option will allow one email notification for owners/operators with multiple farms."

Please let us know if you have any questions.

Thanks

Reggie Cheatham, Director
Office of Emergency Management
202/564-8003(w) Cellular Phone / Ex. 6
cheatham.reggie@epa.gov
Doris Williams, Executive Assistant
202/564-0053

Message

From: Marvin Childers [marvin@thepoultryfederation.com]
Sent: 11/9/2017 7:07:03 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Re: URGENT: The latest info on CERCLA/EPCRA reporting requirements for farms

Thanks!!!!

Marvin Childers
President
The Poultry Federation
501-375-8131

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Date: November 9, 2017 at 1:49:10 PM EST
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Cc: "Clark, Becki" <Clark.Beki@epa.gov>, "Salo, Earl" <Salo.Earl@epa.gov>, "Swenson, Erik" <Swenson.Erik@epa.gov>, "Brooks, Becky" <Brooks.Becky@epa.gov>, "Taylor, Trish" <Taylor.Trish@epa.gov>, "Cogliano, Gerain" <Cogliano.Gerain@epa.gov>, "Noggle, William" <Noggle.William@epa.gov>, "Jacob, Sicy" <Jacob.Sicy@epa.gov>, "Hostage, Barbara" <Hostage.Barbara@epa.gov>, "Hull, George" <Hull.George@epa.gov>, "Principe, Vanessa" <Principe.Vanessa@epa.gov>
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Reggie Cheatham, Director
Office of Emergency Management
202/564-8003(w) Cellular Phone / Ex. 6
cheatham.reggie@epa.gov
Doris Williams, Executive Assistant
202/564-0053

Delivery Report

From: postmaster@rosedmi.com [postmaster@rosedmi.com]
Sent: 1/16/2018 8:17:58 PM
To: scanlon@dairy.org
Subject: Undeliverable: EPA fact sheets hazardous substances from animal waste
Attachments: EPA fact sheets hazardous substances from animal waste

Your message

To: Bennett, Tate
CC: Sands, Jeffrey; Gordon, Stephen; Subramanian, Hema
Subject: EPA fact sheets hazardous substances from animal waste
Sent: 1/16/2018 8:17:46 PM

Delivery has failed to these recipients or groups:

scanlon@dairy.org

The e-mail address you entered couldn't be found. Please check the recipient's e-mail address and try to resend the message. If the problem continues, please contact your helpdesk.

Diagnostic information for administrators:

Generating server: rosedmi.com

scanlon@dairy.org
#550 5.1.1 RESOLVER.ADR.RecipNotFound; not found ##

Original message headers:

Received: from NAM02-CY1-obe.outbound.protection.outlook.com (207.46.163.56) by exchange.rosedmi.com (10.0.1.120) with Microsoft SMTP Server (TLS) id 14.3.319.2; Tue, 16 Jan 2018 14:17:57 -0600
Received: from CO2PR04CA0086.namprd04.prod.outlook.com (10.165.94.140) by CY4PR04MB1239.namprd04.prod.outlook.com (10.171.249.145) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Tue, 16 Jan 2018 20:17:54 +0000
Received: from BN1BFF011FD014.protection.gbl (2a01:111:f400:7c10::1:103) by CO2PR04CA0086.outlook.office365.com (2603:10b6:104:6::12) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384) id 15.20.407.7 via Frontend Transport; Tue, 16 Jan 2018 20:17:53 +0000
Authentication-Results: spf=pass (sender IP is 23.103.201.128) smtp.mailfrom=epa.gov;dairy.org; dkim=pass (signature was verified) header.d=usepa.onmicrosoft.com;dairy.org; dmarc=permererror action=none header.from=epa.gov;
Received-SPF: Pass (protection.outlook.com: domain of epa.gov designates 23.103.201.128 as permitted sender) receiver=protection.outlook.com; client-ip=23.103.201.128; helo=gcc01-dm2-obe.outbound.protection.outlook.com;
Received: from gcc01-dm2-obe.outbound.protection.outlook.com (23.103.201.128)

by BN1BFFG11FD014.mail.protection.outlook.com (10.58.144.77) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P384) id 15.20.345.12 via Frontend Transport; Tue, 16 Jan 2018 20:17:51 +0000

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version; bh=X7FGGCGmObVQxWaYop1DYWGtYLvcqLrcIzaMwFge/v8=;

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Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by CY4PR09MB1511.namprd09.prod.outlook.com (10.173.191.145) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Tue, 16 Jan 2018 20:17:46 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id 15.20.0407.012; Tue, 16 Jan 2018 20:17:46 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>

CC: "Sands, Jeffrey" <sands.jeffrey@epa.gov>, "Gordon, Stephen" <gordon.stephen@epa.gov>, "Subramanian, Hema" <Subramanian.Hema@epa.gov>

Subject: EPA fact sheets hazardous substances from animal waste

Thread-Topic: EPA fact sheets hazardous substances from animal waste

Thread-Index: AdOPBTPjqVj1wTpgSN6lu3P82tdF+A==

Date: Tue, 16 Jan 2018 20:17:46 +0000

Message-ID: <CY4PR09MB1509B14AD1E210EA8290681796EA0@CY4PR09MB1509.namprd09.prod.outlook.com>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach: yes

X-MS-TNEF-Correlator:

Authentication-Results-Original: spf=none (sender IP is) smtp.mailfrom=Bennett.Tate@epa.gov;

x-originating-ip: [161.80.87.199]

x-ms-publictraffictype: Email

X-Microsoft-Exchange-Diagnostics-untrusted: 1;CY4PR09MB1511;7;M16BwEfIRVe8DuVFW+OAXwQIPfRKCKZeBLEXKCpGy6Z/djsmrMnS4G3eNnVUNark9BGLw+qW303SidwCbJ8lkGuNtscK8xiy6/5Nql8EtqnW8ZEYcNH42COOf3ZP1L/t5yb3lqAF4biq7F2s/OL/Bu/PwexQVC9f7v1KJ/EB56Ek5zcvbuF4e3X1NzxiSg/W+SVLRjFk6DiE/PfEoWX5ahMBU3CpYXnWKhIXuUk6/bMT3mhrmn6B1UVGcgXy+rdG

X-MS-Office365-Filtering-Correlation-Id: d40730ef-979f-4370-f9fb-08d55dle396b

X-Microsoft-Antispam-Untrusted:

UriScan:;BCL:0;PCL:0;RULEID:(7020095)(4652020)(5600026)(4604075)(3008032)(2017052603307)(7153060)(49563074)(7193020);SPVR:CY4PR09MB1511;

X-MS-TrafficTypeDiagnostic: CY4PR09MB1511:|CY4PR04MB1239;

x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr

x-microsoft-antispam-prvs: <CY4PR09MB15113C5B4E7F2DAC95EA9F2796EA0@CY4PR09MB1511.namprd09.prod.outlook.com>

x-exchange-antispam-report-test: UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(229425074694992);UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(229425074694992);

x-exchange-antispam-report-cfa-test: BCL:0;PCL:0;RULEID:(102415395)(6040470)(2401047)(8121501046)(5005006)(3002001)(93006095)(93001095)(3231023)(944501161)(10201501046)(6041268)(20161123560045)(20161123562045)(20161123564045)(201703131423095)(201702281528075)(20161123555045)(201703061421075)(201703061406153)(20161123558120)(6072148)(201708071742011);SPVR:CY4PR09MB1511;BCL:0;PCL:0;RULEID:(10000803101)(100110400095);SRVR:CY4PR09MB1511;BCL:0;PCL:0;RULEID:(102415395)(7630418)(2401047)(8121501046)(7631346)(7632307)(7633261)(7632307)(7633261)(1430158)(1431041)(1441077)(9101536074)(93006095)(93004095)(10201501046)(3002001)(3231023)(902075)(944500087)(944510075)(944921075)(946801075)(946901075)(201708071742011);SRVR:CY4PR04MB1239;BCL:0;PCL:0;RULEID:(10000803101)(100110400095);SRVR:CY4PR04MB1239;

x-forefront-prvs: 0554B1F54F
X-Forefront-Antispam-Report-Untrusted:
SFV:NSPM;SFS:(10019020)(1496009)(346002)(366004)(396003)(39860400002)(39380400002)(376002)
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6306002)(54896002)(8656006)(26005);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR09MB1511;H:CY4PR09MB1
509.namprd09.prod.outlook.com;FPR:;SPF:None;PTR:InfoNoRecords;MX:1;A:1;LANG:en;
received-spf: None (protection.outlook.com: epa.gov does not designate
permitted sender hosts)
X-Microsoft-Antispam-Message-Info-Original:
THzlXPwgqNHAr73tqNEk2D7DVEF65nrAUhFQa2dQOkY92aMJep/I2IP3unenLMXHiZUUJ228+oOGqIHlnwE+rg==
SpamDiagnosticOutput: 1:99
SpamDiagnosticMetadata: NSPM
Content-Type: multipart/mixed;
boundary="___005___CY4PR09MB1509B14AD1E210EA8290681796EAC0CY4PR09MB1509nampr___"
MIME-Version: 1.0
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1511
Return-Path: Bennett.Tate@epa.gov
X-EOFAattributedMessage: 0
X-EOFTenantAttributedMessage: 4a5c3ca3-6131-43b1-94be-00fe342a7c7c:0
X-MS-Exchange-Transport-CrossTenantHeadersStripped: EN1BFF011FD014.protection.gbl
X-MS-Exchange-Transport-CrossTenantHeadersPromoted: EN1BFF011FD014.protection.gbl
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s/3LrKCSt2U23zRCQhBervYDv7LOy/wzubDezM
X-MS-Exchange-CrossTenant-OriginalArrivalTime: 16 Jan 2018 20:17:51.6760
(UTC)
X-MS-Exchange-CrossTenant-Network-Message-Id: d40730ef-979f-4370-f9fb-08d55d1e396b
X-MS-Exchange-CrossTenant-Id: 4a5c3ca3-6131-43b1-94be-00fe342a7c7c
X-MS-Exchange-CrossTenant-FromEntityHeader: Internet
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR04MB1239
X-OrganizationHeadersPreserved: CY4PR04MB1239.namprd04.prod.outlook.com
X-OriginatorOrg: rosedmi.onmicrosoft.com
X-CrossPremisesHeadersPromoted: DMLEXFE01.dmi.com
X-CrossPremisesHeadersFiltered: DMLEXFE01.dmi.com

Delivery Report

From: postmaster@azfb.org [postmaster@azfb.org]
Sent: 11/28/2017 8:57:17 PM
To: annakennedy@azfb.org
Subject: Undeliverable: CERCLA-EPCRA Update
Attachments: CERCLA-EPCRA Update

Your message

To: Bennett, Tate
CC: Gordon, Stephen
Subject: CERCLA-EPCRA Update
Sent: 11/28/2017 8:57:12 PM



Your message to annakennedy@azfb.org couldn't be delivered.

annakennedy wasn't found at azfb.org.

Bennett.Tate	Office 365	annakennedy
Action Required		Recipient
Unknown To address		

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 11/28/2017 8:57:12 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: annakennedy@azfb.org
Subject: CERCLA-EPCRA Update

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient annakennedy@azfb.org not found by SMTP address lookup
DSN generated by: MWHPR0501MB3868.namprd05.prod.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	11/28/2017 8:57:13 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	mapi

2	11/28/2017 8:57:13 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1512.namprd09.prod.outlook.com	Microsoft SMTP cipher=TLS_ECD
3	11/28/2017 8:57:15 PM	gcc01-CY1- obe.outbound.protection.outlook.com	BN3NAM01FT037.mail.protection.outlook.com	Microsoft SMTP cipher=TLS_ECD
4	11/28/2017 8:57:15 PM	BN3NAM01FT037.eop- nam01.prod.protection.outlook.com	SN4PR0501CA0080.outlook.office365.com	Microsoft SMTP cipher=TLS_ECD
5	11/28/2017 8:57:16 PM	SN4PR0501CA0080.namprd05.prod.outlook.com	MWHPR0501MB3868.namprd05.prod.outlook.com	Microsoft SMTP cipher=TLS_ECD

Original Message Headers

Received: from SN4PR0501CA0080.namprd05.prod.outlook.com
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 (2603:10b6:301:7b::23) with Microsoft SMTP Server (version=TLS1_2,
 cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.282.3; Tue, 28
 Nov 2017 20:57:16 +0000

Received: from BN3NAM01FT037.eop-nam01.prod.protection.outlook.com
 (2a01:111:f400:7e41::205) by SN4PR0501CA0080.outlook.office365.com
 (2603:10b6:803:22::18) with Microsoft SMTP Server (version=TLS1_2,
 cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384) id 15.20.282.3 via Frontend
 Transport; Tue, 28 Nov 2017 20:57:15 +0000

Authentication-Results: spf=none (sender IP is 23.103.200.109)
 smtp.mailfrom=epa.gov; azfb.org; dkim=pass (signature was verified)
 header.d=usepa.onmicrosoft.com;azfb.org; dmarc=none action=none
 header.from=epa.gov;

Received-SPF: None (protection.outlook.com: epa.gov does not designate
 permitted sender hosts)

Received: from gcc01-CY1-obe.outbound.protection.outlook.com (23.103.200.109)
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 Frontend Transport; Tue, 28 Nov 2017 20:57:15 +0000

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;
 s=selector1-epa-gov;
 h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
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 15.20.260.4; Tue, 28 Nov 2017 20:57:13 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by
 CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
 15.20.0260.007; Tue, 28 Nov 2017 20:57:13 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>
CC: "Gordon, Stephen" <gordon.stephen@epa.gov>
Subject: CERCLA-EPCRA Update
Thread-Topic: CERCLA-EPCRA Update
Thread-Index: AdNj8qj2YHlzhWLnRM+brfGmCWXdngEmC52g
Date: Tue, 28 Nov 2017 20:57:12 +0000
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Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
Authentication-Results-Original: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;
x-originating-ip: [161.80.87.199]
x-ms-publictraffictype: Email
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received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)

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MIME-Version: 1.0

X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1512

Return-Path: Bennett.Tate@epa.gov

X-EOFAtributedMessage: 0

X-EOFTenantAttributedMessage: 0a508b5f-683b-47eb-9b48-ce91c527d929:0

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X-MS-Exchange-Transport-CrossTenantHeadersPromoted: BN3NAM01FT037.eop-nam01.prod.protection.outlook.com

X-Forefront-Antispam-Report:

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X-MS-Exchange-CrossTenant-OriginalArrivalTime: 28 Nov 2017 20:57:15.4669

(UTC)

X-MS-Exchange-CrossTenant-Network-Message-Id: fae93371-afa8-436f-79e7-08d536a29b08

X-MS-Exchange-CrossTenant-Id: 0a508b5f-683b-47eb-9b48-ce91c527d929

X-MS-Exchange-CrossTenant-FromEntityHeader: Internet

X-MS-Exchange-Transport-CrossTenantHeadersStamped: MWHPR0501MB3868

Delivery Report

From: postmaster@agricultura.pr.gov [postmaster@agricultura.pr.gov]
Sent: 1/16/2018 8:17:56 PM
To: aastacio@agricultura.pr.gov
Subject: Undeliverable: EPA fact sheets hazardous substances from animal waste
Attachments: EPA fact sheets hazardous substances from animal waste

Your message

To: Bennett, Tate
CC: Sands, Jeffrey; Gordon, Stephen; Subramanian, Hema
Subject: EPA fact sheets hazardous substances from animal waste
Sent: 1/16/2018 8:17:46 PM



Your message to aastacio@agricultura.pr.gov couldn't be delivered.

aastacio wasn't found at agricultura.pr.gov.

Bennett.Tate
Action Required

Office 365

aastacio
Recipient

Unknown To address

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 1/16/2018 8:17:46 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: aastacio@agricultura.pr.gov
Subject: EPA fact sheets hazardous substances from animal waste

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient aastacio@agricultura.pr.gov not found by SMTP address lookup
DSN generated by: BN3PR09MB0563.namprd09.prod.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	1/16/2018 8:17:46 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	map

2	1/16/2018 8:17:46 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1511.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
3	1/16/2018 8:17:51 PM	gcc01-dm2-obe.outbound.protection.outlook.com	CY1GCC01FT008.mail.protection.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
4	1/16/2018 8:17:52 PM	CY1GCC01FT008.eop-gcc01.prod.protection.outlook.com	BN6PR09CA0090.outlook.office365.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
5	1/16/2018 8:17:52 PM	BN6PR09CA0090.namprd09.prod.outlook.com	BN3PR09MB0563.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA

Original Message Headers

Received: from BN6PR09CA0090.namprd09.prod.outlook.com (10.172.202.156) by BN3PR09MB0563.namprd09.prod.outlook.com (10.160.119.20) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Tue, 16 Jan 2018 20:17:52 +0000

Received: from CY1GCC01FT008.eop-gcc01.prod.protection.outlook.com (2a01:111:f400:7d02::201) by BN6PR09CA0090.outlook.office365.com (2603:10b6:404:dc::28) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384) id 15.20.407.7 via Frontend Transport; Tue, 16 Jan 2018 20:17:52 +0000

Authentication-Results: spf=pass (sender IP is 23.103.201.109) smtp.mailfrom=epa.gov; agricultura.pr.gov; dkim=pass (signature was verified) header.d=usepa.onmicrosoft.com; agricultura.pr.gov; dmarc=permessageaction=none header.from=epa.gov;

Received-SPF: Pass (protection.outlook.com: domain of epa.gov designates 23.103.201.109 as permitted sender) receiver=protection.outlook.com; client-ip=23.103.201.109; helo=gcc01-dm2-obe.outbound.protection.outlook.com;

Received: from gcc01-dm2-obe.outbound.protection.outlook.com (23.103.201.109) by CY1GCC01FT008.mail.protection.outlook.com (10.97.0.96) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P384) id 15.20.302.6 via Frontend Transport; Tue, 16 Jan 2018 20:17:51 +0000

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov;

h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;

bh=X7FGGCgmObVQzWaYop1dYWGtYLvcqLrc1zaMwFge/v8=;

b=1740suMpl5tu+JEbN1M1SWwiNJOIEoblVRfMTeCPnakjtQvynw6UogOVQajeBJqeMxz9angw0cuBX0Npjpp0oZe aNb+TJWicv9ZNal6/ub4bKkxj9zKbGHizPpRKKuTVhtAjSh/qLwz5QAnRe2UM7708rnX8MJ9wiPOSStqWPs=

Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by CY4PR09MB1511.namprd09.prod.outlook.com (10.173.191.145) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Tue, 16 Jan 2018 20:17:46 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id 15.20.0407.012; Tue, 16 Jan 2018 20:17:46 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>

CC: "Sands, Jeffrey" <sands.jeffrey@epa.gov>, "Gordon, Stephen"
<gordon.stephen@epa.gov>, "Subramanian, Hema" <Subramanian.Hema@epa.gov>
Subject: EPA fact sheets hazardous substances from animal waste
Thread-Topic: EPA fact sheets hazardous substances from animal waste
Thread-Index: AdOPBTPjqVjIwTpgSN6lu3P82tdF+A==
Date: Tue, 16 Jan 2018 20:17:46 +0000
Message-ID:
<CY4PR09MB1509B14AD1B210EA8290681796EA0@CY4PR09MB1509.namprd09.prod.outlook.com>
Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach: yes
X-MS-TNEF-Correlator:
Authentication-Results-Original: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;
x-originating-ip: [161.80.87.199]
x-ms-publictraffictype: Email
X-Microsoft-Exchange-Diagnostics-untrusted:
1;CY4PR09MB1511;7;M16BWEfIRVe8DuVFW+OAXWQIPfRKCKZeBLEXKCpGy6Z/djsmrMnS4G3eNmVKNark9BGLw+q
W303SidwCbJ8lkGuNtsck8xiy6/5Nq18EtqnW8ZEYcNH4200Of3ZP1L/t5yb3lqAF4biq7F2s/OL/Bu/PwezQVC9f
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gXy+rDG
X-MS-Office365-Filtering-Correlation-Id: 92b9109b-88f2-4183-9995-08d55d1e38b9
X-Microsoft-Antispam-Untrusted:
UriScan:;BCL:0;PCL:0;RULEID:(7020095)(4652020)(5600026)(4604075)(3008032)(2017052603307)(
7153060)(49563074)(7193020);SPVR:CY4PR09MB1511;
X-MS-TrafficTypeDiagnostic: CY4PR09MB1511:|EN3PR09MB0563;
x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr
x-microsoft-antispam-prvs:
<CY4PR09MB15113C5B4E7F2DAC95BA9F2796EA0@CY4PR09MB1511.namprd09.prod.outlook.com>
x-exchange-antispam-report-test:
UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(22942507469499
2);
x-exchange-antispam-report-cfa-test:
BCL:0;PCL:0;RULEID:(102415395)(6040470)(2401047)(8121501046)(5005006)(3002001)(93006095)(
93001095)(3231023)(944501161)(10201501046)(6041268)(20161123560045)(20161123562045)(20161
123564045)(201703131423095)(201702281528075)(20161123555045)(201703061421075)(20170306140
6153)(20161123558120)(6072148)(201708071742011);SPVR:CY4PR09MB1511;BCL:0;PCL:0;RULEID:(10
0000803101)(100110400095);SRVR:CY4PR09MB1511;
x-forefront-prvs: 0554B1F54F
X-Forefront-Antispam-Report-Untrusted:
SFV:NSPM;SFS:(10019020)(1496009)(346002)(366004)(396003)(39860400002)(39380400002)(376002
) (189003)(199004)(7276002)(7736002)(7406005)(7336002)(7416002)(6116002)(5660300001)(74316
002)(790700001)(3846002)(99936001)(7366002)(39060400002)(6862004)(99286004)(6200100001)(1
06356001)(8936002)(25786009)(8676002)(81156014)(81166006)(68736007)(66066001)(33656002)(4
326008)(97736004)(105586002)(8666007)(9686003)(236005)(14454004)(55016002)(6436002)(47430
02)(86362001)(606006)(3280700002)(59450400001)(3660700001)(2900100001)(7696005)(53936002)
(2906002)(102836004)(76576003)(316002)(478600001)(6506007)(72206003)(77096006)(54906003)(
6306002)(54896002)(8656006)(26005);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR09MB1511;H:CY4PR09MB1
509.namprd09.prod.outlook.com;FPR:;SPF:None;PTR:InfoNoRecords;MX:1;A:1;LANG:en;
received-spf: None (protection.outlook.com: epa.gov does not designate
permitted sender hosts)
X-Microsoft-Antispam-Message-Info-Original:
THxlXRwgqNHar73tqNEk2D7DVEF65nrAUhFQa2dQOkY9ZaMJep/I2IR3unenlMXHizUUJ228+cOGqlHLNwE+rg==
spamdiagnosticoutput: 1:99

spamdiagnosticmetadata: NSPM
Content-Type: multipart/mixed;
 boundary="___005___CY4PR09MB1509B14AD1B210EA8290681796EAC0CY4PR09MB1509namp___"
MIME-Version: 1.0
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1511
Return-Path: Bennett.Tate@epa.gov
X-EOPAttributedMessage: 0
X-EOFTenantAttributedMessage: 305e0461-bf92-4a42-8b7b-683a7f97579f:0
X-MS-Exchange-Transport-CrossTenantHeadersStripped: CY1GCC01FT008.eop-
gcc01.prod.protection.outlook.com
X-MS-Exchange-Transport-CrossTenantHeadersPromoted: CY1GCC01FT008.eop-
gcc01.prod.protection.outlook.com
X-Forefront-Antispam-Report: CIP:23.103.201.109;IPV:NLI;CTRY:;EFV:NLI;
X-Microsoft-Exchange-Diagnostics:
1;CY1GCC01FT008;1:ULnYbkNSkd+AOK4PUJBhmNh+Ld+8Y/09rFWq3OuwzEA3T0/2KWHPGKDs/f2z8mp3Ww2VSM4
IrnWAm8c9sentCJDdWzgf2nEro9gyKGXKFEyIEP9K3vGmTizzXY3YHooqS
X-Microsoft-Antispam:
 UriScan;BCL:0;PCL:0;RULEID:(7020095)(5600026)(4604075)(4605076)(49563074)(1401041
) (1405041) (1407041) (121220051038) (121220052038) (121220054038) (71702078) (7193020);SRVR:BN3
PR09MB0563;
X-Microsoft-Exchange-Diagnostics:
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k0NAGwFzvy+xG4RtASaUctnezD73lMaGu4vZOKeJklsCv4CfRxasbCwRngyz5aM0GdtFeQs1PFIjDwh2LKKOqEhlG
KmmYTKYDdu33GICWlG904ActviSb/6ZnrMEVswiMvCRIKF+yxPXHSStlWG1XWr+nqv8HXYdiVaXWZfaFPi4aaPpGD
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rs2MF5+ucaw==;25:u57lJs2OPGC9D9eAloXdq1lJrjQ3ZSENSJZN2w2G15hDUzDxbK/kYKQt3q3Y0gcAZq/evb5p
txff0dluGbbEl+5nxSoUeS49vAOsG8v2WGnjqHP1SCSs4b7lNLEHRKfh2Tjz+rQDTgHBEASF510ZT2QsY4mJYsJbL
TqPhfG+nrs7rYI1ZW2qLlpktGaw0DKen3M2k607H8n39+01xjUhpqu85c+kMKEZqDKE9Ac59MZoP6dnqDoV9Hu2dQ
C6XP9LRDSt5zqR//SuD1JDHANeMnDeuV2OZcvM892DauQIzcu8WyzBz5+ABpJDSjcpASWfMXbzH2LJT8EBFK2VNRN
Yug==

Message

From: Michael Formica [formicam@nppc.org]
Sent: 11/20/2017 8:54:46 PM
To: Jennings, Kim [Jennings.Kim@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]
CC: Tom Hebert [tom.hebert@bayardridge.com]
Subject: RE: Request for an Extension of Time on CAFO Air Emission Guidance

Thanks Kim!

I am going to try to get them to you as soon as possible after the Thanksgiving break. Much appreciate it.
Thanks

Michael C. Formica
National Pork Producers Council
202.680.3820

From: Jennings, Kim [mailto:Jennings.Kim@epa.gov]
Sent: Monday, November 20, 2017 3:52 PM
To: Michael Formica <formicam@nppc.org>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Tom Hebert <tom.hebert@bayardridge.com>
Subject: RE: Request for an Extension of Time on CAFO Air Emission Guidance

Hi Mike,

I have spoken to folks here and as I said we consider this an evergreen document and so we will take your comments whenever you get them to us.

Thanks and have a happy Thanksgiving.
Kim

Kim Jennings
Division Director || Regulations Implementation Division
U.S. Environmental Protection Agency || Office of Emergency Management
E-mail: jennings.kim@epa.gov || Desk: (202) 564-7998 ||

From: Jennings, Kim
Sent: Monday, November 20, 2017 6:50 AM
To: 'Michael Formica' <formicam@nppc.org>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Tom Hebert <tom.hebert@bayardridge.com>
Subject: RE: Request for an Extension of Time on CAFO Air Emission Guidance

Hi,

We had always considered that guidance to be "evergreen". However, with regards to pushing out the deadline, a lot has happened over the last week and I have been on travel during that time, so I would like to confirm with folks here, and get back with you later today.

Thanks,
Kim

Kim Jennings
Division Director || Regulations Implementation Division
U.S. Environmental Protection Agency || Office of Emergency Management
E-mail: jennings.kim@epa.gov || Desk: (202) 564-7998 ||

From: Michael Formica [<mailto:formicam@nppc.org>]
Sent: Sunday, November 19, 2017 3:02 PM
To: Jennings, Kim <Jennings.Kim@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Tom Hebert <tom.hebert@bayardridge.com>
Subject: Request for an Extension of Time on CAFO Air Emission Guidance

Kim, Reggie, Jeff, Tate:

We are incredibly appreciative of all the hard work you and your team have put into making this air emission reporting exercise as manageable as possible, including the changes to the online guidance and working with the National Response Center to develop a mechanism for reporting emissions via email.

One quick question though. I just realized that comments on the online guidance are due on this coming Friday November 24, 2017. That happens to be the day after Thanksgiving. I was wondering if it was possible to push that date out a week further and have comments due by Friday, December 1, 2017.

We have a number of comments and suggestions to the guidance and process that the US Pork industry intends to make, and I have a conference call with my environmental committee Monday afternoon to review the experience of those who have submitted emissions reports so far. With this being a short work week, it would be very helpful to have additional time to submit comments until the week after Thanksgiving.

Thanks

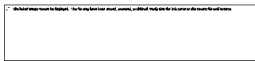
Michael C. Formica
National Pork Producers Council
202.680.3820

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 11/28/2017 8:57:55 PM
To: 'dmaples@kycattle.com' [dmaples@kycattle.com]
Subject: Undeliverable: CERCLA-EPCRA Update
Attachments: CERCLA-EPCRA Update

Your message

To: Bennett, Tate
CC: Gordon, Stephen
Subject: CERCLA-EPCRA Update
Sent: 11/28/2017 8:57:12 PM



Your message to dmaples@kycattle.com couldn't be delivered.

dmaples wasn't found at kycattle.com, or the mailbox is unavailable.

Bennett.Tate	Office 365	dmaples
Action Required		Recipient
Unknown To address		

How to Fix It

The email address might be misspelled or it might not exist. Try one or more of the following:

- **Retype the recipient's address, then resend the message** - If you're using Outlook, open this non-delivery report message and click **Send Again** from the menu or ribbon. In Outlook on the web, select this message, and then click the "**To send this message again, click here.**" link located just above the message preview window. In the To or Cc line, delete and then retype the entire recipient's address (ignore any address suggestions). After typing the complete address, click **Send** to resend the message. If you're using an email program other than Outlook or Outlook on the web, follow its standard way for resending a message. Just be sure to delete and retype the recipient's entire address before resending it.
- **Remove the recipient from the recipient Auto-Complete List, then resend the message** - If you're using Outlook or Outlook on the web, follow the steps in the "Remove the recipient from the recipient Auto-Complete List" section of [this article](#). Then resend the message. Be sure to delete and retype the recipient's entire address before clicking **Send**.
- **Contact the recipient by some other means**, (by phone, for example) to confirm you're using the right address. Ask them if they've set up an email forwarding rule that could be forwarding your message to an incorrect address.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.351

When Office 365 tried to send the message, the external email server returned an error stating that the recipient is unknown or the mailbox is unavailable. This error was reported by an email server outside Office 365.

If you or the sender can't fix the problem, contact the responsible party's email admin - Give them the error code and error message from this non-delivery report (NDR) to help them troubleshoot the issue. To determine who the responsible party might be, check the error for information about where the problem is happening. For example, look for a domain name like contoso.com. A domain name in the error might suggest who is responsible for the error. It could be the recipient's email server, or it could be a third-party service that your organization or the recipient's organization is using to process or filter email messages.

Although the sender might be able to fix the issue by correcting the recipient address, it's likely that only the recipient's email admin can fix the problem. Unfortunately, it's unlikely Office 365 Support will be able to help with these kinds of externally reported errors.

Original Message Details

Created Date: 11/28/2017 8:57:12 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: dmaples@kycattle.com
Subject: CERCLA-EPCRA Update

Error Details

Reported error: 550 5.1.351 Remote server returned unknown recipient or mailbox unavailable -> 550 No Such User Here
DSN generated by: CY4PR09MB1512.namprd09.prod.outlook.com
Remote server: secure.agriserver5.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	11/28/2017 8:57:13 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	map
2	11/28/2017 8:57:13 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1512.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS

Original Message Headers

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;

s=selector1-epa.gov;
h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
bh=r9+uyLGTjyW/dsnmYZAm4h2yuyw88BO8YbqS0Dxpzwc=;

b=UCoaOf6rUqpgn6v5l9+wCG82c/BZq5jSMFPRKihhaeyKsIvcpliei4raCWayOMmdqpT2qzSLbmroJJExk3O86x/6f
53vULnOt2lZg/tSdMQHlfzgs+PeKUab9H7ewh17OMI1HD3/N4LLOyxNVXZYXGbAjfZ4WThwLoxM4stYTtnJI=
Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by
CY4PR09MB1512.namprd09.prod.outlook.com (10.173.191.146) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.260.4; Tue, 28 Nov 2017 20:57:13 +0000
Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by
CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
15.20.0260.007; Tue, 28 Nov 2017 20:57:13 +0000
From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
CC: "Gordon, Stephen" <gordon.stephen@epa.gov>
Subject: CERCLA-EPCRA Update
Thread-Topic: CERCLA-EPCRA Update
Thread-Index: AdNj8qj2YHlZHWLnPM+brfGmCWXdngEmC52g
Date: Tue, 28 Nov 2017 20:57:12 +0000
Message-ID:
<CY4PR09MB15092B4D3B80CB03194AD79E963A0@CY4PR09MB1509.namprd09.prod.outlook.com>
Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
authentication-results: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;
x-originating-ip: [161.80.87.199]
x-ms-publictraffictype: Email
x-microsoft-exchange-diagnostics:
1;CY4PR09MB1512;6:5zmwc+JWP4smMWIEgayXD9M3fVdDv7aM2KcVUK1N/AnsjiCe6nFW3GcsNmiYn5rm7+nJkHY
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K2EIQbo859DbFN/5xszcQm;24:1/SwL5ANZl+8U9YZYKqZITQL7E9fyp28loKfNUqtNv/rSUz5HpuwYsZsMbRf2
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sosoctHrny4vvbAMcmkHl3znJ3m2ofm0uoBPM/vzmaamrrXkllL2GO7JTDrvjk2sCgAEs2z43Z/0OzkVkhcb7x1Lun
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UriScan;ECL:0;PCL:0;RULEID:(4534020)(4602075)(4627115)(201703031133081)(201702281549075)
(5600026)(4604075)(2017052603258);SRVR:CY4PR09MB1512;
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x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr
x-microsoft-antispam-prvs:
<CY4PR09MB15125289ED9254A6D07A1446963A0@CY4PR09MB1512.namprd09.prod.outlook.com>

x-exchange-antispam-report-test:
UriScan: (18691203564520) (261320762254229) (227612066756510) (21748063052155) (211171220733660) (229425074694992);
x-exchange-antispam-report-cfa-test:
ECL:0;PCL:0;RULEID:(6040450) (2401047) (8121501046) (5005006) (10201501046) (93006095) (93001095) (3002001) (3231022) (6041248) (20161123555025) (201703131423075) (201702281528075) (201703061421075) (201703061406153) (20161123560025) (20161123562025) (20161123564025) (20161123558100) (6072148) (201708071742011);SPVR:CY4PR09MB1512;ECL:0;PCL:0;RULEID:(100000803101) (100110400095);SRVR:CY4PR09MB1512;
x-forefront-prvs: 0505147DDB
x-forefront-antispam-report:
SFV:NSPM;SFS:(10019020) (376002) (346002) (366004) (15604003) (189002) (85664002) (199003) (40154002) (66066001) (53936002) (3480700004) (54896002) (9686003) (6306002) (189998001) (236005) (33656002) (4326008) (8656006) (105586002) (106356001) (6862004) (39060400002) (99286004) (101416001) (16865895004) (733005) (3280700002) (77096006) (8666007) (6506006) (6436002) (2420400007) (966005) (15650500001) (10710500007) (16799955002) (2906002) (3660700001) (15974865002) (861006) (72206003) (478600001) (19610725007) (7736002) (68736007) (14454004) (74316002) (81156014) (8676002) (81166006) (25786009) (55016002) (8936002) (2900100001) (7110500001) (790700001) (7406005) (3846002) (86362001) (7366002) (6116002) (102836003) (5660300001) (7336002) (7416002) (97736004) (606006) (7276002) (50986999) (54356999) (6200100001) (7696005) (65686004) (53546010) (316002) (16866105001) (15695565005);DIR:OUT;SFP:1102;SCL:1;SPVR:CY4PR09MB1512;H:CY4PR09MB1509.namprd09.prod.outlook.com;FPR:;SPF:None;PTR:InfoNoRecords;MX:1;A:1;LANG:en;
received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)
spamdiagnosticoutput: 1:99
spamdiagnosticmetadata: NSPM
Content-Type: multipart/alternative;
 boundary="_000_CY4PR09MB15092B4D3B80CB03194AD79E963A0CY4PR09MB1509nampr_"
MIME-Version: 1.0
X-OriginatorOrg: epa.gov
X-MS-Exchange-CrossTenant-Network-Message-Id: a3d54611-bele-414a-cdf4-08d536a2997e
X-MS-Exchange-CrossTenant-originalarrivaltime: 28 Nov 2017 20:57:12.8588
 (UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1512

Delivery Report

From: postmaster@tcfa.org [postmaster@tcfa.org]
Sent: 1/16/2018 8:17:56 PM
To: jwinegarner@tcfa.org
Subject: Undeliverable: EPA fact sheets hazardous substances from animal waste
Attachments: EPA fact sheets hazardous substances from animal waste

Your message

To: Bennett, Tate
CC: Sands, Jeffrey; Gordon, Stephen; Subramanian, Hema
Subject: EPA fact sheets hazardous substances from animal waste
Sent: 1/16/2018 8:17:46 PM



Your message to jwinegarner@tcfa.org couldn't be delivered.

jwinegarner wasn't found at tcfa.org.

Bennett.Tate	Office 365	jwinegarner
Action Required		Recipient
Unknown To address		

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 1/16/2018 8:17:46 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: jwinegarner@tcfa.org
Subject: EPA fact sheets hazardous substances from animal waste

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient jwinegarner@tcfa.org not found by SMTP address lookup
DSN generated by: DM3PR13MB0768.namprd13.prod.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	1/16/2018 8:17:46 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	mapi

2	1/16/2018 8:17:46 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1511.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS
3	1/16/2018 8:17:51 PM	gcc01-dm2-obe.outbound.protection.outlook.com	CY1NAM02FT014.mail.protection.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS
4	1/16/2018 8:17:53 PM	CY1NAM02FT014.eop-nam02.prod.protection.outlook.com	BY1PR13CA0033.outlook.office365.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS
5	1/16/2018 8:17:53 PM	BY1PR13CA0033.namprd13.prod.outlook.com	DM3PR13MB0768.namprd13.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS

Original Message Headers

Received: from BY1PR13CA0033.namprd13.prod.outlook.com
 (2a01:111:e400:5225::43) by DM3PR13MB0768.namprd13.prod.outlook.com
 (2a01:111:e400:5ab2::26) with Microsoft SMTP Server (version=TLS1_2,
 cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.428.9; Tue, 16
 Jan 2018 20:17:53 +0000

Received: from CY1NAM02FT014.eop-nam02.prod.protection.outlook.com
 (2a01:111:f400:7e45::204) by BY1PR13CA0033.outlook.office365.com
 (2a01:111:e400:5225::43) with Microsoft SMTP Server (version=TLS1_2,
 cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384) id 15.20.428.9 via Frontend
 Transport; Tue, 16 Jan 2018 20:17:53 +0000

Authentication-Results: spf=pass (sender IP is 23.103.201.135)
 smtp.mailfrom=epa.gov; tcf=org; dkim=pass (signature was verified)
 header.d=usepa.onmicrosoft.com; tcf=org; dmarc=permaerror action=none
 header.from=epa.gov;

Received-SPF: Pass (protection.outlook.com: domain of epa.gov designates
 23.103.201.135 as permitted sender) receiver=protection.outlook.com;
 client-ip=23.103.201.135; helo=gcc01-dm2-obe.outbound.protection.outlook.com;

Received: from gcc01-dm2-obe.outbound.protection.outlook.com (23.103.201.135)
 by CY1NAM02FT014.mail.protection.outlook.com (10.152.75.142) with Microsoft
 SMTP Server (version=TLS1_2,
 cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P384) id 15.20.345.12 via
 Frontend Transport; Tue, 16 Jan 2018 20:17:51 +0000

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;
 s=selector1-epa-gov;
 h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
 bh=X7FGGCgmObVQxWaYop1DYWGtYLVcqLrc1zaMwFge/v8=;

b=1740suMpl5tu+JEbN1ML3WwiNJOIEoblVRFMIeCPnakjtQvynw6UogOVQajeBJqeMxz9sngw0cuBX0Npjpp0oXe
 aNb+TJWicv9ZNa16/ub4bKkzj9zKbGHizPpRKKuTVhtAjSh/qLwz5QAnRe2UM77O8rnX8MJ9wiPOSStqWPs=

Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by
 CY4PR09MB1511.namprd09.prod.outlook.com (10.173.191.145) with Microsoft SMTP
 Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
 15.20.407.7; Tue, 16 Jan 2018 20:17:46 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by
 CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
 15.20.0407.012; Tue, 16 Jan 2018 20:17:46 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
CC: "Sands, Jeffrey" <sands.jeffrey@epa.gov>, "Gordon, Stephen"
 <gordon.stephen@epa.gov>, "Subramanian, Hema" <Subramanian.Hema@epa.gov>
Subject: EPA fact sheets hazardous substances from animal waste
Thread-Topic: EPA fact sheets hazardous substances from animal waste
Thread-Index: AdOPBTPjqVj1wTpgSN6lu3P82tdF+A==
Date: Tue, 16 Jan 2018 20:17:46 +0000
Message-ID:
 <CY4PR09MB1509B14AD1B210EA8290681796EA0@CY4PR09MB1509.namprd09.prod.outlook.com>
Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach: yes
X-MS-TNEF-Correlator:
Authentication-Results-Original: spf=none (sender IP is)
 smtp.mailfrom=Bennett.Tate@epa.gov;
x-originating-ip: [161.80.87.199]
x-ms-publictraffictype: Email
X-Microsoft-Exchange-Diagnostics-untrusted:
 1;CY4PR09MB1511;7:ML6BWEfIRVe8DuVFW+OAXWQIPfRKCKZeBLEXKCpGy6Z/djsmrMnS4G3eNmVKNark9BGLw+q
 W303SidwCbJ8lkGuNtscK8xiy6/5Nq18EtqnW8ZEYcNH4200Of3ZP1L/t5yb31qAF4biq7F2s/OL/Bu/PwezQVC9f
 7v1KJ/EB56Ek5zcubuF4e3X1Nxxi3g/W+SvLRjFk6DiE/PfEoWX5ahMEU3CpYXnWKhIXuUk6/bMT3mhrmn6B1UVGc
 gXy+rDG
X-MS-Office365-Filtering-Correlation-Id: f8e9b1cb-0cc5-4904-12ea-08d55d1e38b5
X-Microsoft-Antispam-Untrusted:
 UriScan:;BCL:0;PCL:0;RULEID:(7020095)(4652020)(5600026)(4604075)(3008032)(2017052603307)(
 7153060)(49563074)(7193020);SRVR:CY4PR09MB1511;
X-MS-TrafficTypeDiagnostic: CY4PR09MB1511:|DM3PR13ME0768:
x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr
x-microsoft-antispam-prvs:
 <CY4PR09MB15113C5B4E7F2DAC95BA9F2796EA0@CY4PR09MB1511.namprd09.prod.outlook.com>
x-exchange-antispam-report-test:
 UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(22942507469499
 2);
x-exchange-antispam-report-cfa-test:
 BCL:0;PCL:0;RULEID:(102415395)(6040470)(2401047)(8121501046)(5005006)(3002001)(93006095)(
 93001095)(3231023)(944501161)(10201501046)(6041268)(20161123560045)(20161123562045)(20161
 123564045)(201703131423095)(201702281528075)(20161123555045)(201703061421075)(20170306140
 6153)(20161123558120)(6072148)(201708071742011);SRVR:CY4PR09MB1511;BCL:0;PCL:0;RULEID:(10
 0000803101)(100110400095);SRVR:CY4PR09MB1511;
x-forefront-prvs: 0554B1F54F
X-Forefront-Antispam-Report-Untrusted:
 SFV:NSPM;SFS:(10019020)(1496009)(346002)(366004)(396003)(39860400002)(39380400002)(376002
)(189003)(199004)(7276002)(7736002)(7406005)(7336002)(7416002)(6116002)(5660300001)(74316
 002)(790700001)(3846002)(99936001)(7366002)(39060400002)(6862004)(99286004)(6200100001)(1
 06356001)(8936002)(25786009)(8676002)(81156014)(81166006)(68736007)(66066001)(33656002)(4
 326008)(97736004)(105586002)(8666007)(9686003)(236005)(14454004)(55016002)(6436002)(47430
 02)(86362001)(606006)(3280700002)(59450400001)(3660700001)(2900100001)(7696005)(53936002)
 (2906002)(102836004)(76576003)(316002)(478600001)(6506007)(72206003)(77096006)(54906003)(
 6306002)(54896002)(8656006)(26005);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR09MB1511;H:CY4PR09MB1
 509.namprd09.prod.outlook.com;FPR:;SPF:None;PTR:InfoNoRecords;MX:1;A:1;LANG:en;
received-spf: None (protection.outlook.com: epa.gov does not designate
 permitted sender hosts)

X-Microsoft-Antispam-Message-Info-Original:
THxlKRwgqNHar73tqNEk2D7DVEF65nrAUhFQa2dQOkY9ZaMJep/I2IR3unenlMXHizUUJ228+oOGqlHLnWE+rg==
spamdiagnosticoutput: 1:99
spamdiagnosticmetadata: NSPM
Content-Type: multipart/mixed;
 boundary="__005_CY4PR09MB1509B14AD1B210EA8290681796EA0CY4PR09MB1509namp_"
MIME-Version: 1.0
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1511
Return-Path: Bennett.Tate@epa.gov
X-EOPAttributedMessage: 0
X-EOFTenantAttributedMessage: 76c117d3-2c54-4215-8328-115d725d164f:0
X-MS-Exchange-Transport-CrossTenantHeadersStripped: CY1NAM02FT014.eop-
nam02.prod.protection.outlook.com
X-MS-Exchange-Transport-CrossTenantHeadersPromoted: CY1NAM02FT014.eop-
nam02.prod.protection.outlook.com
X-Forefront-Antispam-Report: CIP:23.103.201.135;IPV:NLI;CTRY:;EFV:NLI;
X-Microsoft-Exchange-Diagnostics:
1;CY1NAM02FT014;1;zFF8w2uGUEn+fc8KAKAbr9tr7ZiWWD2bOcupe3rlec0vDsqsITx+ij6VCrkoDYlNXLjD/3a
lOrly+ShdkJzgpJ06RUJ+UiaxyqctZzmS+0b9lxaGz08y28iOfYALWycE
X-Microsoft-Antispam:
 UriScan:;PCL:0;PCL:0;RULEID:(7020095)(5600026)(4604075)(4605076)(49563074)(1401041
) (1405041) (1407041) (121220051038) (121220052038) (121220054038) (71702078) (7193020);SRVR:DM3
PR13MB0768;
X-Microsoft-Exchange-Diagnostics:
 1;DM3PR13MB0768;3:LvekalCj7+kfM3mbYvjEWuVCxShNQGwDSN276Eaz2fa9HmGJZzKaMElKNmJCS0Go
rhnls9/vpnaz8dljWkEl4cT6fz7VslEfUt73LEWe8h0rR9h6CyK/1FMXcLl29hNMBO3eOYn8FeLpOHLHDyVKI6VpB
r5zS/t6jsyuausJQY0DRBnKrVLYOz2D8HlqN6a6uNYF32fUnAOFsARpnGIXsFv1BcrZGYvNt7itrC7KZF8+Mz4Aju
8uSeOUhQJUxD9zehp0eCTvBea+Hw/DjYlZQXR0J7jD+CC8z8sv8wmmKeBaqHUnzNI26pziLVXgBLcljkef4zCd3JH
cWu1JfHYvtQ==;25:eeIpCxl+dIEOMeqv2Y6z7iWMu0kFNGXam/UqokEP4DPTf1ZmaN044qYIpkWuA6SfHqU6JdLE
EOkfCi+c6RRdrKINoithPi82Q7JRslHysXvQ74KyZ3YWSIAMAjgbuKHKthSlns7pvZAEVzERxOXYepk3pFUSAJuA
QR34bETeA7Ac3XocpybQYQoarpBvgRNTdhkidVsznc5FNCM0mZHuqfe68fPwO3r/iHAuHczSxSXGNygM3HBhmAqV
DrmvM29TQAv4azPttMGqhbeySVmJe3tGgXCNGQXaU/kjKl3MCEv2Bgcl28i5MLY90F1EPzVb02etmp9Ta3ZrEbwDl
Jkw==

Message

From: Thomas Hebert [tom.hebert@bayardridge.com]
Sent: 11/20/2017 9:06:13 PM
To: Jennings, Kim [Jennings.Kim@epa.gov]; Michael Formica [formicam@nppc.org]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Re: Request for an Extension of Time on CAFO Air Emission Guidance

Thanks Kim. Same to you!

Tom Hebert
Bayard Ridge Group LLC
(C) Cellular Phone / Ex. 6
tom.hebert@bayardridge.com

From: "Jennings, Kim" <Jennings.Kim@epa.gov>
Sent: Nov 20, 2017 3:52 PM
To: Michael Formica; Cheatham, Reggie; Sands, Jeffrey; Bennett, Tate
Cc: Thomas Hebert
Subject: RE: Request for an Extension of Time on CAFO Air Emission Guidance

Hi Mike,

I have spoken to folks here and as I said we consider this an evergreen document and so we will take your comments whenever you get them to us.

Thanks and have a happy Thanksgiving.
Kim

Kim Jennings
Division Director || Regulations Implementation Division
U.S. Environmental Protection Agency || Office of Emergency Management
E-mail: jennings.kim@epa.gov || Desk: (202) 564-7998 ||

From: Jennings, Kim
Sent: Monday, November 20, 2017 6:50 AM
To: 'Michael Formica' <formicam@nppc.org>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Tom Hebert <tom.hebert@bayardridge.com>
Subject: RE: Request for an Extension of Time on CAFO Air Emission Guidance

Hi,

We had always considered that guidance to be "evergreen". However, with regards to pushing out the deadline, a lot has happened over the last week and I have been on travel during that time, so I would like to confirm with folks here, and get back with you later today.

Thanks,
Kim

Kim Jennings
Division Director || Regulations Implementation Division

From: Michael Formica [<mailto:formicam@nppc.org>]

Sent: Sunday, November 19, 2017 3:02 PM

To: Jennings, Kim <Jennings.Kim@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>

Cc: Tom Hebert <tom.hebert@bayardridge.com>

Subject: Request for an Extension of Time on CAFO Air Emission Guidance

Kim, Reggie, Jeff, Tate:

We are incredibly appreciative of all the hard work you and your team have put into making this air emission reporting exercise as manageable as possible, including the changes to the online guidance and working with the National Response Center to develop a mechanism for reporting emissions via email.

One quick question though. I just realized that comments on the online guidance are due on this coming Friday November 24, 2017. That happens to be the day after Thanksgiving. I was wondering if it was possible to push that date out a week further and have comments due by Friday, December 1, 2017.

We have a number of comments and suggestions to the guidance and process that the US Pork industry intends to make, and I have a conference call with my environmental committee Monday afternoon to review the experience of those who have submitted emissions reports so far. With this being a short work week, it would be very helpful to have additional time to submit comments until the week after Thanksgiving.

Thanks

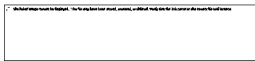
Michael C. Formica
National Pork Producers Council
202.680.3820

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 11/28/2017 8:57:21 PM
To: 'asmart@mainefarmbureau.com' [asmart@mainefarmbureau.com]
Subject: Undeliverable: CERCLA-EPCRA Update
Attachments: CERCLA-EPCRA Update

Your message

To: Bennett, Tate
CC: Gordon, Stephen
Subject: CERCLA-EPCRA Update
Sent: 11/28/2017 8:57:12 PM



Your message to asmart@mainefarmbureau.com couldn't be delivered.

asmart wasn't found at mainefarmbureau.com.

Bennett.Tate	Office 365	asmart
Action Required		Recipient
Unknown To address		

How to Fix It

The address might be misspelled or might not exist. Try one or more of the following:

- **Retype the recipient's address, then resend the message** - If you're using Outlook, open this non-delivery report message and click **Send Again** from the menu or ribbon. In Outlook on the web, select this message, and then click the "**To send this message again, click here.**" link located just above the message preview window. In the To or Cc line, delete and then retype the entire recipient's address (ignore any address suggestions). After typing the complete address, click **Send** to resend the message. If you're using an email program other than Outlook or Outlook on the web, follow its standard way for resending a message. Just be sure to delete and retype the recipient's entire address before resending it.
- **Remove the recipient from the recipient Auto-Complete List, then resend the message** - If you're using Outlook or Outlook on the web, follow the steps in the "Remove the recipient from the recipient Auto-Complete List" section of [this article](#). Then resend the message. Be sure to delete and retype the recipient's entire address before clicking **Send**.
- **Contact the recipient by some other means**, (by phone, for example) to confirm you're using the right address. Ask them if they've set up an email forwarding rule that could be forwarding your message to an incorrect address.

If the problem continues, ask the recipient to tell their email admin about the problem, and give them the error (and the name of the server that reported it) shown below. It's likely that only the recipient's email admin can fix this problem.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.4.1

This error occurred because a message was sent to an email address hosted by Office 365, but the address doesn't exist in the receiving organization's Office 365 directory. Directory Based Edge Blocking (DBEB) is enabled for mainefarmbureau.com, and DBEB rejects messages addressed to recipients who don't exist in the receiving organization's Office 365 directory. This error is reported by the recipient domain's email server, but most often it can be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

Check that the email address exists and is correct - Confirm that the recipient address exists in your Office 365 directory, is correct, and is accepting messages.

Synchronize your directories - Make sure directory synchronization is working correctly, and that the recipient's email address exists in both Office 365 and in your on-premises directory.

Check for errant forwarding rules - Check for forwarding rules for the original recipient that might be trying to forward the message to an invalid address. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Forwarding or Inbox Rules features.

Make sure the recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license to them (Users > Active Users > Select the recipient > Assigned License > Edit).

Make sure that mail flow settings and MX records are correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are set up correctly.

For more information and additional tips to fix this issue, see [this article](#).

Original Message Details

Created Date: 11/28/2017 8:57:12 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: asmart@mainefarmbureau.com
Subject: CERCLA-EPCRA Update

Error Details

Reported error: 550 5.4.1 [asmart@mainefarmbureau.com]: Recipient address rejected: Access denied [BL2NAM02FT024.eop-nam02.prod.protection.outlook.com]
DSN generated by: CY4PR09MB1512.namprd09.prod.outlook.com

Remote server: BL2NAM02FT024.mail.protection.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	11/28/2017 8:57:13 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	mapi
2	11/28/2017 8:57:13 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1512.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS

Original Message Headers

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;
s=selector1-epa-gov;
h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
bh=r9+uyLGTjyW/dsnnYZAm4h2yuyw88EO8YbqS0Dxpzwc=;

b=UCoaOf6rUgpgn6v5l9+wCG82c/B2q5jSMFRKihhaeyKsIvcpIei4raCWayOMndqpT2qzSLbmrcJJJeXk3O86z/6f
53vULnOtZlZg/tSdMQhIfzg8+PeKUab9H7ewh17OMLlHD3/N4ITCyzNVXZYXGbAjf24WThwLoxM4stYTtnJl=

Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by
CY4PR09MB1512.namprd09.prod.outlook.com (10.173.191.146) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.260.4; Tue, 28 Nov 2017 20:57:13 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by
CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
15.20.0260.007; Tue, 28 Nov 2017 20:57:13 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
CC: "Gordon, Stephen" <gordon.stephen@epa.gov>
Subject: CERCLA-EPCRA Update
Thread-Topic: CERCLA-EPCRA Update
Thread-Index: AdNj8qj2YHlzhWLnRM+brfGmCWXdngEmC52g
Date: Tue, 28 Nov 2017 20:57:12 +0000

Message-ID:
<CY4PR09MB15092E4D3B80CB03194AD79E963A0@CY4PR09MB1509.namprd09.prod.outlook.com>

Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
authentication-results: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;
x-originating-ip: [161.80.87.199]
x-ms-publictraffictype: Email
x-microsoft-exchange-diagnostics:
1;CY4PR09MB1512;6:5zMwc+JwP4smMwIEgayXD9M3fVdDv7aM2KcVUK1N/AnsjiCe6nFw3GcSNmiYn5rm7+nJkHY
wEXQ4wpXd14FQJ7K0ElpXOMRnE38ZDOvBso24W3iE6aW+onryfNCTeNk93Q9tDaLqAP0zPjgK3dVXQzYsLoqSgsA7
o+7D9C+tMQtk3Ccr3k1iSt0e6Uc5W20jsfRqcikGGm9aZHjLjtOOJJULcc8nQQacGKfY5lOfKxRNQZjVom7DWmKrm
+Flv2Qyrr7NiKIRB7n2emKA+9zJE7px3aK36+uVLFLujfsIJFW+LbMeNRKA49Mp48z4CA+rC4x6ilIyz7F0nUmTS7L
h5ljEEKVCseaxG9Ijj12jdDh8=;5:yAMMACogyKponetgwnWpUPqTp+3Mepax5nEHWNEsinrAmzF03qjnRiE92jJt

VYPYV18F0hLeHNguDuTz8yY4/CdG6EgWvd310EteSmq7AnVvOC+vxvTJoxqcYrlhN4Dv8cBhkcnLxehLwdJG1/lm
K2EIQb0859DbFN/5xszc8Q=;24:1/SwL5ANZ1+8U9YZYKq2ITQL7E9fyp281oKfNUqtNv/rSUz5HpuwYYSZsMbRf2
B0WKNqrwCNfRPBPAREqyxdC7plHl+zf5WCuk/uYdJ47us=;7:NjJavGLQ65PIzXh4WCXcGlcqGcc1+HSq8qRC2UQy
sosoctHrny4vvbAMcmHIT3znJ3m2ofm0uoEPm/vxmammnrXkLI2GO7JTDrvjk2sCgABsZz43X/0OzkVkhcb7z1Iun
0VNMA+QbsrHbAPUhzKeiue8HGOs108TY1yzzXP/t0qL37IkVvtMkQXbEnIDgC/4GZ/4c2P/AJP+ordxwZucJGC3Li
zPoYE3ICNHn8e4069OhU9q4hUo1D2Dqvi5DY8C

x-ms-office365-filtering-correlation-id: a3d54611-bele-414a-cdf4-08d536a2997e

x-microsoft-antispam:
UriScan:;BCL:0;PCL:0;RULEID:(4534020)(4602075)(4627115)(201703031133081)(201702281549075)
(5600026)(4604075)(2017052603258);SRVR:CY4PR09MB1512;

x-ms-trafficdiagnostic: CY4PR09MB1512;

x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr

x-microsoft-antispam-prvs:
<CY4PR09MB15125289ED9254A6D07A1446963A0@CY4PR09MB1512.namprd09.prod.outlook.com>

x-exchange-antispam-report-test:
UriScan:(18691203564520)(261320762254229)(227612066756510)(21748063052155)(21117122073366
0)(229425074694992);

x-exchange-antispam-report-cfa-test:
BCL:0;PCL:0;RULEID:(6040450)(2401047)(8121501046)(5005006)(10201501046)(93006095)(9300109
5)(3002001)(3231022)(6041248)(20161123555025)(201703131423075)(201702281528075)(201703061
421075)(201703061406153)(20161123560025)(20161123562025)(20161123564025)(20161123558100)(
6072148)(201708071742011);SRVR:CY4PR09MB1512;BCL:0;PCL:0;RULEID:(100000803101)(1001104000
95);SRVR:CY4PR09MB1512;

x-forefront-prvs: 0505147DDB

x-forefront-antispam-report:
SFV:NSPM;SFS:(10019020)(376002)(346002)(366004)(15604003)(189002)(85664002)(199003)(40154
002)(66066001)(53936002)(3480700004)(54896002)(9686003)(6306002)(189998001)(236005)(33656
002)(4326008)(8656006)(105586002)(106356001)(6862004)(39060400002)(99286004)(101416001)(1
6865895004)(733005)(3280700002)(77096006)(8666007)(6506006)(6436002)(2420400007)(966005)(
15650500001)(10710500007)(16799955002)(2906002)(3660700001)(15974865002)(861006)(72206003
) (478600001)(19610725007)(7736002)(68736007)(14454004)(74316002)(81156014)(8676002)(81166
006)(25786009)(55016002)(8936002)(2900100001)(7110500001)(790700001)(7406005)(3846002)(86
362001)(7366002)(6116002)(102836003)(5660300001)(7336002)(7416002)(97736004)(606006)(7276
002)(50986999)(54356999)(6200100001)(7696005)(65686004)(53546010)(316002)(16866105001)(15
695565005);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR09MB1512;H:CY4PR09MB1509.namprd09.prod.outloc
k.com;FPR:;SPF:None;PTR:InfoNoRecords;MX:1;A:1;LANG:en;

received-spf: None (protection.outlook.com: epa.gov does not designate
permitted sender hosts)

spandiagnosticsoutput: 1:99

spandiagnosticsmetadata: NSPM

Content-Type: multipart/alternative;
boundary="___000___CY4PR09MB15092B4D3B80CB03194AD79E963A0CY4PR09MB1509nampr___"

MIME-Version: 1.0

X-OriginatorOrg: epa.gov

X-MS-Exchange-CrossTenant-Network-Message-Id: a3d54611-bele-414a-cdf4-08d536a2997e

X-MS-Exchange-CrossTenant-originalarrivaltime: 28 Nov 2017 20:57:12.8588
(UTC)

X-MS-Exchange-CrossTenant-fromentityheader: Hosted

X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7

X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1512

Message

From: Ann nogan [pacattlemen@gmail.com]
Sent: 1/17/2018 8:58:44 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: RE: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Will send it out when the new number gets here. TY

Ann Nogan
Pennsylvania Cattlemen's Association

On Jan 17, 2018 3:28 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:

Please hold. We have to provide a new conference number shortly.

From: Pa Cattlemen Assoc [mailto:pacattlemen@aol.com]
Sent: Wednesday, January 17, 2018 3:26 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Thanks I'll send this out.

Ann Nogan

Executive Assistant

127 Tompkinsville Rd

Scott Township PA 18433

570-254-5856

Cellular Phone / Ex. 6 cell

Sent from my Verizon Wireless 4G LTE DROID

On Jan 17, 2018 2:29 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:

All—

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period.

As such, EPA invites you and your operation to learn more about the basis of this action via a phone briefing on Friday, 1/19, at 1 PM EASTERN TIME ZONE.

WHO: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS

WHEN: FRIDAY, JANUARY 19, 1PM EASTERN START TIME (feel free to dial in early around 12:50 PM Eastern).

HOW: Call line:

Code:

Conference Number / Ex. 6

If you have any additional questions on this topic and for more information, please contact the Environmental Protection Agency via the information provided below:

- Visit www.epa.gov/animalwaste for guidance and access to the continuous release reporting forms
- Email comments or suggestions on guidance materials to: CERCLA103.guidance@epa.gov
- Regional Contacts: www.epa.gov/epcra/cr-erns-regional-contacts
- Call with questions: [1-800-424-9346](tel:1-800-424-9346)

Please let us know if you have additional questions and we look forward to your joining the call on Friday.

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

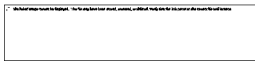
Bennett.Tate@epa.gov

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 11/28/2017 8:57:17 PM
To: 'leanna.mcnally@okfb.org' [leanna.mcnally@okfb.org]
Subject: Undeliverable: CERCLA-EPCRA Update
Attachments: CERCLA-EPCRA Update

Your message

To: Bennett, Tate
CC: Gordon, Stephen
Subject: CERCLA-EPCRA Update
Sent: 11/28/2017 8:57:12 PM



Your message to leanna.mcnally@okfb.org couldn't be delivered.

leanna.mcnally wasn't found at okfb.org, or the mailbox is unavailable.

Bennett.Tate	Office 365	leanna.mcnally
Action Required		Recipient
Unknown To address		

How to Fix It

The email address might be misspelled or it might not exist. Try one or more of the following:

- **Retype the recipient's address, then resend the message** - If you're using Outlook, open this non-delivery report message and click **Send Again** from the menu or ribbon. In Outlook on the web, select this message, and then click the "**To send this message again, click here.**" link located just above the message preview window. In the To or Cc line, delete and then retype the entire recipient's address (ignore any address suggestions). After typing the complete address, click **Send** to resend the message. If you're using an email program other than Outlook or Outlook on the web, follow its standard way for resending a message. Just be sure to delete and retype the recipient's entire address before resending it.
- **Remove the recipient from the recipient Auto-Complete List, then resend the message** - If you're using Outlook or Outlook on the web, follow the steps in the "Remove the recipient from the recipient Auto-Complete List" section of [this article](#). Then resend the message. Be sure to delete and retype the recipient's entire address before clicking **Send**.

- **Contact the recipient by some other means**, (by phone, for example) to confirm you're using the right address. Ask them if they've set up an email forwarding rule that could be forwarding your message to an incorrect address.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.351

When Office 365 tried to send the message, the external email server returned an error stating that the recipient is unknown or the mailbox is unavailable. This error was reported by an email server outside Office 365.

If you or the sender can't fix the problem, contact the responsible party's email admin - Give them the error code and error message from this non-delivery report (NDR) to help them troubleshoot the issue. To determine who the responsible party might be, check the error for information about where the problem is happening. For example, look for a domain name like contoso.com. A domain name in the error might suggest who is responsible for the error. It could be the recipient's email server, or it could be a third-party service that your organization or the recipient's organization is using to process or filter email messages.

Although the sender might be able to fix the issue by correcting the recipient address, it's likely that only the recipient's email admin can fix the problem. Unfortunately, it's unlikely Office 365 Support will be able to help with these kinds of externally reported errors.

Original Message Details

Created Date: 11/28/2017 8:57:12 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: leanna.mcnally@okfb.org
Subject: CERCLA-EPCRA Update

Error Details

Reported error: 550 5.1.351 Remote server returned unknown recipient or mailbox unavailable -> 550 Invalid Recipient - <https://community.mimecast.com/docs/DOC-1369#550>
DSN generated by: CY4PR09MB1512.namprd09.prod.outlook.com
Remote server: us-smtp-1.mimecast.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	11/28/2017 8:57:13 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	mapi

Original Message Headers

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version; bh=r9+uyLGTjyW/dsnnyZAm4h2yuyw88EO8YbqS0Dxpzwc=;

b=UCoaOf6rUgpgn6v5l9+wCG82c/BZq5jSMFRKihhaeyKsIvcpIei4raCWayOMmdqpT2qzSLbmroJJJeXk3O86x/6f53vULnOtZlZg/tSdM2hIfzg8+PeKUab9H7ewh17OML1HD3/N4IT0yzNVXZYXGbAjf24WThwLoxM4stYTtnJI=

Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by CY4PR09MB1512.namprd09.prod.outlook.com (10.173.191.146) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.260.4; Tue, 28 Nov 2017 20:57:13 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id 15.20.0260.007; Tue, 28 Nov 2017 20:57:13 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>

CC: "Gordon, Stephen" <gordon.stephen@epa.gov>

Subject: CERCLA-EPCRA Update

Thread-Topic: CERCLA-EPCRA Update

Thread-Index: AdNj8qj2YH1zHwLnRM+brfGmCWXdngEmC52g

Date: Tue, 28 Nov 2017 20:57:12 +0000

Message-ID: <CY4PR09MB15092B4D3E80CB03194AD79E963A0@CY4PR09MB1509.namprd09.prod.outlook.com>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach:

X-MS-TNEF-Correlator:

authentication-results: spf=none (sender IP is) smtp.mailfrom=Bennett.Tate@epa.gov;

x-originating-ip: [161.80.87.199]

x-ms-publictraffictype: Email

x-microsoft-exchange-diagnostics: 1;CY4PR09MB1512;6:5zMwc+JwP4smMwIEgayXD9M3fVdDv7aM2KcVUK1N/AnsjiCe6nFW3GcSNmiYn5rm7+nJkHYwEXQ4wpXdl4FQJ7KcElpXOMRnE38ZDOvEs0Z4W3iE6aW+onryfNCTeNk93Q9tDaLqAP0zRjgK3dVXQzYsLoqSgsA7o+7D9C+tMQtk3Ccr3k1ist0e6Uc5W20jsfRqcikGGm9a2HjLjtOOJJULcc8nQQacGKFY5lOfKxRNQZjVom7DWmKmM+Flv2Qyrr7NiKIRB7n2emkA+9zJE7px3aK36+uVLFuJfsIJFW+LbMeNRKA49Mp48z4CA+rC4x6il1yz7F0nUmTS7Lh5l1jEEKVCseaxG9Ij1j12jDdh8=;5:yAMMACogyKponetgwnWpUPqTp+3Mepax5nEHWNEsinrAmzF03qjnRiE92jJtVYPYV18F0hLeHNguDuTz8yY4/CdG6BqWvd310EteSmq7AnVvOC+vxvTJoxqcYrLhN4Dv8cBhkcnLxehLwdJG1/lmK2EIQbo859DbFN/5xszc8Q=;24:1/SwL5ANZl+8U9YZYKqZITQL7E9fyp28loKfNUqtNv/rSUz5HpuwYYS2sMbRf2B0WKNqrwCNfRFBPAreqyxdC7plhl+zf5Wcuk/uYdJ47us=;7:NjJavGLQ65PIzXh4WCXcGLcQGcc1+HSg8qRC2UQysooctHrny4vvbAMcmkH13znJ3m2ofm0uoBPm/vxmamnrzXklI2GO7JTDrvjk2sCgABsZz43X/0OzkVkhcb7z1Tun0VNMA+QbsrHbARUhzKeiue8HGOslo8TYIyzzXP/t0qL37IkVvtMkQXbEnIDgC/4GZ/4c2P/AJP+ordxwZucJGC3LiZPoYE3ICNHn8e4069OhU9q4hUo1D2Dqvi5DY8C

x-ms-office365-filtering-correlation-id: a3d54611-be1e-414a-cdf4-08d536a2997e

x-microsoft-antispam: UriScan;BCL:0;FCL:0;RULEID:(4534020)(4602075)(4627115)(201703031133081)(201702281549075)(5600026)(4604075)(2017052603258);SFVR:CY4PR09MB1512;

x-ms-trafficdiagnostic: CY4PR09MB1512;
x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr
x-microsoft-antispam-prvs:
<CY4PR09MB15125289ED9254A6D07A1446963A0@CY4PR09MB1512.namprd09.prod.outlook.com>
x-exchange-antispam-report-test:
UriScan:(18691203564520)(261320762254229)(227612066756510)(21748063052155)(211171220733660)(229425074694992);
x-exchange-antispam-report-cfa-test:
BCL:0;PCL:0;RULEID:(6040450)(2401047)(8121501046)(5005006)(10201501046)(93006095)(93001095)(3002001)(3231022)(6041248)(20161123555025)(201703131423075)(201702281528075)(201703061421075)(201703061406153)(20161123560025)(20161123562025)(20161123564025)(20161123558100)(6072148)(201708071742011);SRVR:CY4PR09MB1512;BCL:0;PCL:0;RULEID:(100000803101)(100110400095);SRVR:CY4PR09MB1512;
x-forefront-prvs: 0505147DDB
x-forefront-antispam-report:
SFV:NSPM;SFS:(10019020)(376002)(346002)(366004)(15604003)(189002)(85664002)(199003)(40154002)(66066001)(53936002)(3480700004)(54896002)(9686003)(6306002)(189998001)(236005)(33656002)(4326008)(8656006)(105586002)(106356001)(6862004)(39060400002)(99286004)(101416001)(16865895004)(733005)(3280700002)(77096006)(8666007)(6506006)(6436002)(2420400007)(966005)(15650500001)(10710500007)(16799955002)(2906002)(3660700001)(15974865002)(861006)(72206003)(478600001)(19610725007)(7736002)(68736007)(14454004)(74316002)(81156014)(8676002)(81166006)(25786009)(55016002)(8936002)(2900100001)(7110500001)(790700001)(7406005)(3846002)(86362001)(7366002)(6116002)(102836003)(5660300001)(7336002)(7416002)(97736004)(606006)(7276002)(50986999)(54356999)(6200100001)(7696005)(65686004)(53546010)(316002)(16866105001)(15695565005);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR09MB1512;H:CY4PR09MB1509.namprd09.prod.outlook.com;FPR:;SPF:None;PTR:InfoNoRecords;MX:1;A:1;LANG:en;
received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)
spamdiagnosticoutput: 1:99
spamdiagnosticmetadata: NSPM
Content-Type: multipart/alternative;
 boundary="___000___CY4PR09MB15092B4D3B80CE03194AD79E963A0CY4PR09MB1509namprd___"
MIME-Version: 1.0
X-OriginatorOrg: epa.gov
X-MS-Exchange-CrossTenant-Network-Message-Id: a3d54611-be1e-414a-cdf4-08d536a2997e
X-MS-Exchange-CrossTenant-originalarrivaltime: 28 Nov 2017 20:57:12.8588
 (UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1512

Message

From: Dewey, Amy [Dewey.Amy@epa.gov]
Sent: 7/27/2017 9:20:06 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]; Konkus, John [konkus.john@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Fwd: NPPC Backs EPA Request To Delay Emissions Reporting Requirements For Farms

From: Michael Formica <formicam@nppc.org>
Date: July 27, 2017 at 4:43:36 PM EDT
To: "Dewey, Amy" <Dewey.Amy@epa.gov>
Subject: FW: NPPC Backs EPA Request To Delay Emissions Reporting Requirements For Farms

FYI

Not sure if you are on our press list yet

From: NPPC News
Sent: Thursday, July 27, 2017 3:23 PM
Subject: NPPC Backs EPA Request To Delay Emissions Reporting Requirements For Farms



Contact: Jim Monroe (monroej@nppc.org) or Dave Warner (warnerd@nppc.org) (202) 347-3800

NPPC Backs EPA Request To Delay Emissions Reporting Requirements For Farms

WASHINGTON, D.C., July 27, 2017 – On a day when the process for withdrawing the U.S. Environmental Protection Agency’s Waters of the United States (WOTUS) rule formally was initiated, the National Pork Producers Council filed a brief in support of EPA’s recent motion to delay a federal court order requiring farms to begin onerous and unnecessary air emissions reporting.

An April 11 decision by the U.S. Court of Appeals for the District of Columbia Circuit rejected an EPA exemption for farms from reporting emissions under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and the Emergency Planning Community Right to Know Act (EPCRA). CERCLA mainly is used to clean hazardous waste sites but has a federal reporting component, while EPCRA requires entities to report on the storage, use and release of hazardous substances to state and local governments, including first responders. The agency limited EPCRA reporting of emissions to large, confined animal feeding operations (CAFOs), requiring them to make one-time reports.

In exempting agriculture from the reporting requirements, EPA reasoned that emissions from farms might exceed thresholds that would trigger responses under CERCLA, but responses would be “unnecessary, impractical and unlikely.” (Agitating a manure pit, for example, could result in the release of ammonia and hydrogen sulfide in amounts that exceed reportable levels, but the gases would dissipate quickly, so no response would be warranted.)

EPA asked the Court of Appeals to delay enforcement of emissions reporting until Jan. 17, 2018, on the grounds that the approximately 63,000 farms affected need time to estimate their emissions and to explore additional “regulatory and administrative approaches to address these reporting obligations.”

In its supporting brief, NPPC argued that enforcing the reporting requirements on farms before EPA can provide them with guidance “will trigger confusion among farmers and agencies without benefiting the public.”

Public Comment Period Opens for WOTUS Rule Withdraw

The Trump administration today formally initiated the process to repeal the WOTUS rule, proposing a regulation rescinding the rule and opening the regulation to public comment. The WOTUS rule, which went into effect in 2015 but was put on hold by a federal court, broadened the EPA’s regulatory authority over waterways to include, among other water bodies, upstream waters and intermittent and ephemeral streams such as the kind farmers use for drainage and irrigation. It also covered lands adjacent to such waters.

Comments supporting the repeal can be filed at [Regulations.gov](https://www.regulations.gov) or by following this link: <http://tinyurl.com/RepealWOTUS>

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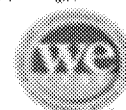
NPPC is the global voice for the U.S. pork industry, protecting the livelihoods of America’s 60,000 pork producers, who abide by ethical principles in caring for their animals, in protecting the environment and public health and in providing safe, wholesome, nutritious pork products to consumers worldwide. For more information, visit www.nppc.org.

For questions, comments and suggestions, contact Jim Monroe (monroej@nppc.org) or Dave Warner (warnerd@nppc.org), (202) 347-3800



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Message

From: Lyons, Troy [lyons.troy@epa.gov]
Sent: 6/5/2017 12:26:29 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]; Ringel, Aaron [ringel.aaron@epa.gov]; Palich, Christian [palich.christian@epa.gov]
Subject: FW: June 3- September 9, 2017 | Line x Line
Attachments: EPA Cabinet 30 Day Report 5.30.17.docx

Any updates?

From: Ford, Hayley
Sent: Monday, June 05, 2017 8:21 AM
To: Beck, Nancy <Beck.Nancy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Fotouhi, David <fotouhi.david@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Greaves, Holly <greaves.holly@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Konkus, John <konkus.john@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Palich, Christian <palich.christian@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>
Cc: Munoz, Charles <munoz.charles@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>
Subject: RE: June 3- September 9, 2017 | Line x Line

Good morning!

Please take 5 minutes to send me any updates for the White House 30-day report by end of day today. Attached is last week's report.

Thank you!

Hayley Ford

Deputy White House Liaison
Office of the Administrator
Environmental Protection Agency
Room: 3309C William Jefferson Clinton North

ford.hayley@epa.gov

Phone: 202-564-2022

Cell:

Cellular Phone / Ex. 6

From: Hupp, Sydney
Sent: Friday, June 2, 2017 6:28 PM
To: Beck, Nancy <Beck.Nancy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Boats, Brian <boats.brian@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Caldwell, James <Caldwell.James@epa.gov>; Chmielewski, Kevin <chmielewski.kevin@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>; Fotouhi, David <fotouhi.david@epa.gov>; Freire, JP <Freire.JP@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Greaves, Holly <greaves.holly@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Hale, Michelle <hale.michelle@epa.gov>; Henderson, Austin <henderson.austin@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Hupp, Sydney <hupp.sydney@epa.gov>; Jackson,

Jennifer L. <Jackson.Jennifer@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Konkus, John <konkus.john@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Mickle, John <Mickle.John@epa.gov>; Munoz, Charles <munoz.charles@epa.gov>; Palich, Christian <palich.christian@epa.gov>; Perrotta, Pasquale <Perrotta.Pasquale@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>; Smith, Chris-L <Smith.Chris-L@epa.gov>; Su, Wendy <su.wendy@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Willis, Sharnett <Willis.Sharnett@epa.gov>; Woodward, Cheryl <Woodward.Cheryl@epa.gov>

Subject: June 3- September 9, 2017 | Line x Line

Hey everyone—there will be no COS meeting on Monday morning. Have a great weekend!

Sydney Hupp

Executive Scheduler

Office of the Administrator

Cellular Phone / Ex. 6 (C)

May 30, 2017

MEMORANDUM FOR THE WHITE HOUSE STAFF SECRETARY AND CABINET SECRETARY

FROM: Ryan Jackson, Chief of Staff, U.S. Environmental Protection Agency

SUBJECT: Environmental Protection Agency Weekly Update for the Week of June 5, 2017

EPA 30-Day Policy Look Ahead

A. Rulemakings, Guidance, Initiatives, & Policies

1. **GRANT RECONSIDERATION FOR OIL AND GAS NSPS:** Consistent with Executive Order 13783 and EPA's announced review of the 2016 Oil and Gas New Source Performance Standard on March 28, 2017 at 82 FR 16331, EPA will grant a full reconsideration of the rule alongside a 90-day stay of a pending compliance deadline. During the 90-day stay, EPA is proposing and finalizing a 2-year timeline extension of associated compliance deadlines that have not yet come due. EPA will work with impacted stakeholders to develop a more balanced approach that ensures adequate protection of the environment without stifling the ever-expanding oil and gas industry.
Timing: Publish in the Federal Register by the end of May **Contact:** Mandy Gunasekara, Senior Policy Advisor, Gunasekara.Mandy@epa.gov
2. **WITHDRAWAL OF CLEAN POWER PLAN TO OMB FOR REVIEW:** Consistent with Executive Order 13783 and EPA's announced review of the Clean Power Plan on March 28, 2017 at 82 FR 16329, EPA will send a proposed withdrawal of the rule to OMB for review. EPA through the Department of Justice filed a response with the D.C. Circuit Court last week requesting the court continue to hold the associated litigation in abeyance.
Timing: Preliminary briefing held with OMB May 16; Draft repeal ready to transmit to OMB by end of May **Contact:** Mandy Gunasekara, Senior Policy Advisor, Gunasekara.Mandy@epa.gov
3. **WITHDRAWAL OF 2015 WOTUS RULE TO OMB FOR REVIEW:** Consistent with Executive Order 13778, EPA submitted to OMB a proposed rule withdrawing the 2015 definition of "Waters of the United States." EPA will implement the Executive Order through a two-step process—first, withdrawing the 2015 rule and re-codifying the status quo; and second, reviewing and revising the definition consistent with this administration's policy.
Timing: OMB review ongoing; Anticipate concluding and sending to Federal Register by June 2, 2017 **Contact:** Sarah Greenwalt, Senior Advisor, Greenwalt.Sarah@epa.gov
4. **GRANT OF RECONSIDERATION FOR MUNICIPAL SOLID WASTE LANDFILLS NSPS AND EMISSION GUIDELINES FOR EXISTING SOURCES:** Consistent with Executive Order 13783, EPA sent letter to industry petitioners announcing an intention to grant reconsideration of the NSPS rule and existing source guidelines for municipal solid waste landfills on May 9. This letter prevented states from expending resources to comply with a May 20, 2017 deadline. This week, EPA is submitting a Federal Register Notice

formally granting the reconsideration and initiating a 90-day stay. EPA can respond to primary concerns including lack of regulatory flexibility, legal obstacles and duplicative standards associated with the petitioners' request.

Timing: Letter sent to petitioners on May 9, 2017; Federal Register notice granting reconsideration and initiating 90-day signed May 22; Draft Federal Register notice further extending deadlines in 1 to 2 weeks **Contact:** Mandy Gunasekara, Senior Policy Advisor, Gunasekara.Mandy@epa.gov

5. **PROPOSED RENEWABLE FUEL STANDARD 2018 RVOs RULE TO OMB.** Under the Renewable Fuel Standard, EPA is required to set annual Renewable Volume Obligations (RVOs), which determines the amount of biofuels that must be blended into the market by obligated parties. The final RVO is required to be set by November 30th each year. In a commitment to meet this annual deadline, EPA sent the draft Rule to the Office of Management and Budget (OMB) on May 11.

Timing: May 11, 2017 **Contact:** Mandy Gunasekara, Senior Policy Advisor, Gunasekara.mandy@epa.gov

6. **STAY OF COMPLIANCE DEADLINES FOR EFFLUENT LIMITATIONS GUIDELINES for STEAM ELECTRIC POWER GENERATING UNITS.** EPA is proposing to stay compliance deadlines in the effluent limitations guidelines and standards for the steam electric point source category under the Clean Water Act. These include limitations and pretreatment standards for fly ash transport water, bottom ash transport water, flue gas desulfurization wastewater, flue gas mercury control wastewater, and gasification wastewater. The stay will remain in effect until EPA completes reconsideration of the Rule. EPA received seven petitions for review of the underlying rule establishing these effluent limitations guidelines, which were consolidated in the United States Court of Appeals for the Fifth Circuit. Upon EPA's request, that Court issued an order staying proceedings until August 12, 2017.

Timing: Submitted to OMB May 10, 2017; pending OMB review **Contact:** Sarah Greenwalt, Senior Advisor, Greenwalt.Sarah@epa.gov

7. **GUIDANCE FOR COAL COMBUSTION RESIDUALS PERMIT PROGRAMS:** EPA is working with the Environmental Council of States and Association of State and Territorial Solid Waste Management Agencies to develop guidance for how EPA plans to review and approve state permit programs for management of coal combustion residuals in response to WIIN Act.

Timing: Draft guidance undergoing review at OMB **Contact:** Byron Brown, Deputy Chief of Staff for Policy, brown.byron@epa.gov

8. **SUPERFUND ADMINISTRATIVE REFORMS:** Following the May 22nd announcement of the Superfund Task Force and the identification of key leaders, the Task Force has initiated discussions focusing on five key areas upon which to improve the Superfund program. These areas include Cleanup and Remediation, Financial Burden, Private Investment, Redevelopment and Revitalization, and Partnerships. Additionally, Superfund has been in contact with the Council on Environmental Quality in preparation of

infrastructure legislation which would focus on legislative changes to the liability burden on Bona Fide Prospective Purchasers post-acquisition of Superfund sites.

Timing: A report showing strategic direction to develop and implement these actions will be produced. Deadline for this report is June 19, 2017. **Contact:** Albert Kelly, Senior Advisor, Kelly.Albert@epa.gov

9. **FINAL RULEMAKINGS, GUIDANCE, AND SCOPING DOCUMENTS, AS REQUIRED BY THE LAUTENBERG CHEMICAL SAFETY ACT.** The Lautenberg Chemical Safety Act (LCSA), which updates the statute by which EPA regulates chemicals, requires EPA to finalize by June 22, 2017 three important framework rules to implement the new statute. These rulemakings include: 1) a procedural rule to establish the EPA's process and criteria for identifying high priority chemicals for risk evaluation and low priority chemicals; 2) a procedural rule to establish the EPA's process for evaluating the risk of high priority chemicals; and 3) a rule to require industry reporting of chemicals manufactured/processed in the previous 10 years. These results will be used to designate active and inactive chemicals on the TSCA Inventory of existing chemicals. EPA must also finalize, by June 22, 2017 a guidance document to assist interested persons that would like to submit a risk evaluation to EPA. In addition, by June 19, 2017, EPA is required to release for public comment, the scoping documents for the first 10 chemicals which EPA plans to evaluate under the LCSA.

Timing: EPA is intending to send the first two procedural rules to OMB between May 23-30th for an expedited review. EPA intends to release all three rules and the draft guidance on June 22, 2017. EPA is intending to release the scoping documents for the first 10 chemicals on June 19, 2017. **Contact:** Nancy Beck, Deputy Assistant Administrator for OCSPP, beck.nancy@epa.gov

10. **REGISTRATION DECISION TO GRANT NEW PLANT INCORPORATED PROTECTANT (PIP) MON87411 FOR COMMERCIAL USE.** MON 87411 RNAi corn is an emerging technology and important tool for farmers to help combat corn rootworm resistance to Bt crops. RNAi works as a pesticide by silencing the activity of a targeted gene. Commercial registrations of RNAi-based plant-incorporated protectant (PIP) crops to date have targeted plant pathogens such as the plum pox virus. MON 87411 is the first RNAi-based PIP to target an insect pest. EPA registered MON 87411 for breeding uses in October 2015 and March 2017, and anticipates granting commercial use in June 2017.

Timing: June 9, 2017 **Contact:** Nancy Beck, Deputy Assistant Administrator for OCSPP, beck.nancy@epa.gov

11. **HUDSON RIVER FIVE-YEAR REVIEW.** EPA plans to publicly release its second five-year review report for the Hudson River PCBs Superfund site. The release of the report will include the announcement of a 30-day public comment period.

Timing: Expect to be released by June 1, 2017 **Contact:** Walter Mugdan, Acting Deputy Regional Administrator, EPA Region 2, Mugdan.Walter@epa.gov

B. Reports to Congress

1. **2016 SUPERFUND REPORT TO CONGRESS:** Consistent with CERCLA section 121(c), Executive Order 12580 and the National Contingency Plan, EPA is responsible for reviewing Superfund remedial actions at least every five years where contaminants remain on site above levels that allow for unlimited use and unrestricted exposure. EPA prepares an annual report to Congress providing a list of sites and information about sites where additional work is required.
Timing: Anticipate going to OMB in early June 2017 **Contact:** Jim Woolford, Director, Office of Superfund Remediation, Woolford.james@epa.gov

C. State and Local-Based Issues

1. **ALL STATES: Formal Federalism Consultation on WOTUS Rewrite.** On April 10, 2017, EPA initiated formal federalism consultation on drafting a revised definition of “Waters of the United States.” Throughout this process EPA will reach out to each of the States and state associations, and local governments and their associations to solicit feedback on how best to draft a definition of “Waters of the United States” that is clear and easily implemented.
Timing: Initiated on April 10, 2017; federalism comments due by June 19, 2017; and internal summary of comments to be completed by July 19, 2017 **Contact:** Sarah Greenwalt, Senior Advisor, Greenwalt.Sarah@epa.gov.
2. **ALL STATES: Administrator Pruitt to send Letter to Governors announcing delay of ozone implementation:** Administrator Pruitt will send a letter to all Governors announcing a 1-year extension to the designation deadline for the 2015 National Ambient Air Quality Standard (NAAQS) for ozone. Many areas still struggle to meet the standard set in 2008, yet the previous administration moved ahead with setting a more stringent standard that would expand the reach of the federal EPA into local economic development decisions across the country. The 1-year delay will allow the EPA to provide regulatory relief while also developing a plan to provide compliance alternatives with the states.
Timing: Send letter announcing delay and plan to develop compliance alternatives first week of June **Contact:** Mandy Gunasekara, Senior Policy Advisor, Gunasekara.Mandy@epa.gov
3. **ALASKA:** As part of the effort to reestablish meaningful cooperative federalism, EPA HQ will work with Alaska to develop a workable path to improve compliance with the National Ambient Air Quality Standard (NAAQS) for fine particulate matter (PM_{2.5}). EPA is considering new compliance flexibility to ensure meaningful environmental improvements while avoiding a never-ending cycle of noncompliance.
Timing: Develop path forward with state week of May 15 **Contact:** Mandy Gunasekara, Senior Policy Advisor, Gunasekara.Mandy@epa.gov
4. **TEXAS:** For years, EPA has been attempting to negotiate with Texas Council on Environmental Quality (TCEQ) regarding nonattainment (i.e. noncompliance) designation of areas for the 2006 National Ambient Air Quality Standards (NAAQS) for Sulfur Dioxide (SO₂). Consistent with the renewed commitment to cooperative federalism, EPA will meet with TCEQ to develop a plan that allows the state the time to put in place an SO₂ monitoring

network to ensure the states' compliance is based on measured data instead of projected, modeling data.

Timing: Plan in place by week of May 22, 2017; EPA HQ meeting with TCEQ Commissioners early June **Contact:** Mandy Gunasekara, Senior Policy Advisor, Gunasekara.mandy@epa.gov

5. **EPA COORDINATING WITH DOI/DOE ON NAVAJO GENERATING STATION:**

EPA is working with DOE, DOI and other current owners to develop a plan to keep the Navajo Generating Station running, which is a key source of employment for the local Navajo tribe. Specifically, EPA is developing a flexible path forward on a previously finalized Regional Haze Federal Implementation Plan (FIP) to keep all three plant units running through 2019 and maintain workable options for longer-term requirements for any prospective, new owners.

Timing: Solidify flexible pathway in 1 to 2 weeks **Contact:** Mandy Gunasekara, Senior Policy Advisor, Gunasekara.mandy@epa.gov

D. Legal Decisions

1. **MURRAY ENERGY CORPORATION, ET AL V. EPA, NO.16-2432 – ORAL ARGUMENT HELD, COMPLIANCE PLAN FILED.** In this appeal of *Murray Energy Corp. et al. v. McCarthy*, (N.D. W. Va. 2016) in the Fourth Circuit, the Plaintiff alleged and the district court held that the Agency has failed to perform a non-discretionary duty under Section 321(a) of the Clean Air Act to evaluate potential loss or shifts of employment within an industry caused by regulations implementing the Act. DOJ and the Agency's position is that the district court's order goes far beyond what the statute requires of the Agency and runs the risk of requiring the Agency to identify facilities at risk of closure and thus compounding the market pressure to which those facilities are subject. Oral argument was held in the Fourth Circuit on May 9, 2017.
Timing: Comprehensive compliance plan filed with district court on May 15, 2017. Study of employment effects of Clean Air Act on coal sector due July 1, unless the Fourth Circuit provides relief before that date. **Contact:** Justin Schwab, Deputy General Counsel, schwab.justin@epa.gov
2. **STATE OF WEST VIRGINIA, ET AL. V. EPA, NO. 15-1363 (D.C. CIR.) – CONTINUED ABEYANCE REQUESTED.** On April 28, 2016, the *en banc* court issued an order holding the litigation challenging the Clean Power Plan in abeyance for 60 days and instructing the parties to file briefs by May 15, 2017, on the question whether the case should remain held in abeyance or whether the court should remand the rule to the Agency. On May 15, DOJ requested the court to hold the case in abeyance pending EPA's review of the rule. The rule's supporters have asked the court to remand the rule to EPA.
Timing: Parties filed briefs with D.C. Circuit on May 15, 2017 **Contact:** David Fotouhi, Deputy General Counsel, fotouhi.david@epa.gov
3. **CENTER FOR REGULATORY REASONABLENESS V. EPA, 849 F.3D 453 (D.C. CIR. 2017)—RESPONSE TO PETITION FOR REHEARING FILED.** Petitioner sought

review of two EPA letters discussing an earlier Eighth Circuit court decision addressing Clean Water Act regulations and policies as they relate to permit conditions for publicly owned treatment works. On February 28, 2017, the court denied review, holding that it lacked jurisdiction under Clean Water Act section 509(b) to review EPA's letters and statements on the issue because petitioner was out of time for review or because they did not announce an effluent limitation or other limitation on discharge. On April 11, 2017, the petitioners filed a petition for rehearing *en banc*, and the court has ordered EPA to respond to the petition. DOJ filed a response to the petition for rehearing *en banc* on May 16, 2017.

Timing: Briefing is complete. The D.C. Circuit will assess the filings and determine whether to grant rehearing. **Contact:** David Fotouhi, Deputy General Counsel, fotouhi.david@epa.gov

4. **WATERKEEPER ALLIANCE V. EPA, NO. 09-1017 (D.C. CIR.) DELAY OF MANDATE REQUESTED.** On April 11, 2017, the D.C. Circuit Court of Appeals vacated EPA's final rule entitled the "CERCLA/EPCRA Administrative Reporting Exemption for Air Releases of Hazardous Substances from Animal Waste at Farms" (73 FR 76948, Dec. 18, 2008). As a result of the Court's decision, farming operations formerly exempted will have to report their aerial emissions of hazardous substances under CERCLA § 103 and EPCRA § 304 once the court issues its mandate. On May 19, EPA moved to stay the issuance of the mandate until June 2, during which time EPA would likely file a subsequent motion to delay issuance of the mandate for a longer period of time in order to allow the Agency to develop a regulatory alternative to the rule that provides relief to covered sources and/or to develop compliance guidance and streamline the compliance process for when the mandate is issued. Waterkeeper Alliance has opposed this request.

Timing: EPA requested delay of mandate until June 2, during which time EPA likely will file a subsequent request to delay the mandate further. The Court can rule on the initial request at any time. **Contact:** David Fotouhi, Deputy General Counsel, fotouhi.david@epa.gov

5. **NEW MEXICO V. COLORADO, NO. 220147 (S.C.T.)—INVITATION BRIEF TO BE FILED.** New Mexico filed a motion in the U.S. Supreme Court for leave to file a bill of complaint against Colorado, seeking to hold Colorado liable under CERCLA, RCRA, and federal common law for the release of hazardous waste on August 5, 2015, from the Gold King Mine in Colorado. In November 2016, the Supreme Court invited the Acting Solicitor General to file a brief in this case "expressing the views of the United States." EPA recommended that the U.S. brief argue that the Court should not exercise jurisdiction.

Timing: EPA understands that the Office of the Solicitor General anticipates filing its invitation brief by May 23, 2017, and a decision is anticipated by end of June 2017

Contact: David Fotouhi, Deputy General Counsel, fotouhi.david@epa.gov or Justin Schwab, Deputy General Counsel, schwab.justin@epa.gov

E. Release of High-Profile Grants

1. **\$56.5 MILLION FOR BROWNFIELDS ASSESSMENT AND CLEANUP IN 171 COMMUNITIES:** EPA plans to announce \$56.5M in funding of new brownfields assessments and cleanup in 171 communities across the country. List of grantees will be developed internally this upcoming week. Grant funds may be used to address sites contaminated by, or potentially contaminated by, petroleum and hazardous substances, pollutants, or contaminants (including hazardous substances co-mingled with petroleum):
 - Assessment grants provide funding for a recipient to inventory, characterize, assess, and conduct planning and community involvement related to brownfield sites. Recipients will each receive approximately \$200-600K in EPA cooperative agreement funding.
 - Cleanup grants provide funding for a recipient to carry out cleanup activities at brownfield sites. An eligible entity may apply for up to \$200K per site and up to three sites in a competition cycle.

Timing: Projected announcement day is May 31, 2017 **Contact:** John Konkus, Deputy Associate Administrator, Office of Public Affairs, konkus.john@epa.gov
2. **\$6.8 MILLION FOR DuSABLE PARK REMEDIATION PROJECT:** This Cooperative Agreement (CA) provides funding in the amount of \$6.8M to the Chicago Park District (CPD) to complete property line to property line screening of the fill material for thorium at the DuSable Park site. CPD will remove and dispose of all thorium contaminated material (thorium source material, thorium product, thorium byproduct material/waste, soil, sediments, debris and fill materials with thorium or thorium byproduct contamination).

Timing: Mid June 2017 **Contact:** John Konkus, Deputy Associate Administrator, Office of Public Affairs, konkus.john@epa.gov
3. **\$5.7 MILLION FOR NEW YORK STATE DEPT. OF ENVIRONMENTAL CONSERVATION:** EPA plans to award an initial \$5,756,294 Performance Partnership Grant to NYSDEC for the operation of its continuing environmental programs while giving it greater flexibility to address its highest environmental priorities, improve environmental performance, achieve administrative savings and strengthen the partnership between NYSDEC and EPA. This agreement funds statewide programs to protect and improve water quality.

Timing: Mid June 2017 **Contact:** John Konkus, Deputy Associate Administrator, Office of Public Affairs, konkus.john@epa.gov
4. **\$3.9 MILLION FOR PERFORMANCE PARTNERSHIP GRANT, ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY (ADEQ):** Initial Award; Region 9; Performance Partnership Grants: This \$3,929,569 award will be used to carry out the objectives of the surface and ground water protection programs, non-point source pollution control program, and the public water supply supervision program. Major activities of these programs include: conducting surface water quality monitoring, preparing a water quality assessment, preparing pollution prevention permits, writing TMDLs, reducing non-point source pollution, participating in interagency watershed coordination activities, conducting outreach/education to the community, and building infrastructure by conducting training and professional development, and reporting progress to EPA.

Timing: June 2017 **Contact:** John Konkus, Deputy Associate Administrator, Office of Public Affairs, konkus.john@epa.gov

5. **\$2.6 MILLION FOR OHIO EPA:** EPA plans to award The Ohio EPA \$2.64M in Federal Fiscal Year 2017 Clean Water Act Section 319(h) funding to support the Section 319(h) nonpoint pollution control program for the following priorities.
- Implementation of Ohio EPA's Non-Point Source (NPS) Management Program including supporting active Total Maximum Daily Load reports and studies for watersheds
 - Overseeing and providing funding for the implementation of Best Management Practices conducted by 16 subgrantees
 - Providing technical assistance for 9-element watershed planning
 - Coordinating with U.S. EPA Region 5 staff for approvals of 9-element watershed plans
 - Engaging awareness and education of NPS activities amongst the general public, landowners, and other interested parties
- Timing:** Early June 2017 **Contact:** John Konkus, Deputy Associate Administrator, Office of Public Affairs, konkus.john@epa.gov
6. **\$2.5 MILLION FOR SOUTHEAST ROCKFORD SOURCE AREA 7 SUPERFUND SITE:** EPA plans to announce an award to the Illinois Environmental Protection Agency. The work to be accomplished is associated with Area 7 Remedial Action (RA) that consist of contractor procurement, preconstruction activities, RA implementation, RA completion and the RA completion report. The overall objective of these tasks is to determine and document that the RA is functioning as designed. The site has been on the EPA national priorities list since 1989.
- Timing:** June 2017 **Contact:** John Konkus, Deputy Associate Administrator, Office of Public Affairs, konkus.john@epa.gov
7. **\$2.4 MILLION FOR CONGRESSIONALLY MANDATED PROJECTS, IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY:** Initial Award; Reported on 5/8/17 with incorrect action of \$2,447,250.00. This award has already been signed. Region 10; Targeted Air Shed; This funding supports Idaho's Targeted Air Shed Project to reduce pollution and protect air Quality in the Logan UT/ID PM2.5 Nonattainment Area by reducing pollution from transportation sources, road dust, residential wood combustion, installation of Stage I Vapor Recovery in gas stations and capital purchase of buses to support mass transit usage.
- Timing:** June 2017 **Contact:** John Konkus, Deputy Associate Administrator, Office of Public Affairs, konkus.john@epa.gov
8. **\$2.43 MILLION FOR GREAT LAKES AREA OF CONCERN RESTORATION:** This grant provides resources to the Michigan Department of Environmental Quality (MDEQ) to continue its efforts to implement remedial action plans (RAPs) to restore 12 Areas of Concerns (AOCs), and coordinate implementation of the Lakewide Action and Management Plans (LAMPs) for Lakes Superior, Michigan, Huron, Erie, and the Lake St. Clair Comprehensive Management Plan. MDEQ will provide a Lake Coordinator for each of the four Great Lakes in Michigan to strategically identify and develop the priorities, partnerships,

projects, and participation necessary to implement each LAMP and represent Michigan on various LAMP management committees, the Great Lakes Executive Committee, and the GLWQA subcommittee task teams. MDEQ will also focus efforts on removing specific Beneficial Use Impairments (BUIs) within these AOCs and initiate formal actions for delisting AOCs.

Timing: June 2017 **Contact:** John Konkus, Deputy Associate Administrator, Office of Public Affairs, konkus.john@epa.gov

9. **\$1.38 MILLION FOR THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION:** EPA plans to announce \$1,388,366 for the Florida Department of Environmental Protection to support the State's efforts to protect human health and the environment by reducing air pollution and improving water quality through permitting, enforcement, and compliance efforts and watershed management; reducing hazardous waste and improving waste management practices; preserving underground drinking water sources; and ensuring protection of Public Water Supply Systems.

Timing: June 2017 **Contact:** John Konkus, Deputy Associate Administrator, Office of Public Affairs, konkus.john@epa.gov

10. **\$1.15 MILLION FOR SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL:** This action approves an increase of \$1,156,250 to the South Carolina Department of Health & Environmental Control which continues support to prevent and reduce pollution, enforce environmental laws, reduce air and water pollution, preserve underground drinking water sources, ensure the safety of public drinking water supplies, manage waste and increase recycling more effectively from creation to disposal in order to protect the environment and health of the citizens throughout the State of South Carolina.

Timing: May 30, 2017 **Contact:** John Konkus, Deputy Associate Administrator, Office of Public Affairs, konkus.john@epa.gov

11. **\$1M FOR MARYLAND CHESAPEAKE BAY PROGRAM:** This cooperative agreement aids the recipient in providing enhanced monitoring to improve the assessment of sediment and nutrient load reductions support for the Chesapeake Bay Program and in providing Chesapeake Bay baywide and basinwide water quality and living resource monitoring data analysis and interpretation.

Timing: June 2017 **Contact:** John Konkus, Deputy Associate Administrator, Office of Public Affairs, konkus.john@epa.gov

12. **\$651,709 FOR THE ARKANSAS DEQ FOR WATER QUALITY AND PROGRAMS:** EPA may announce, along with U.S. Rep. Hill (AR-02), this funding to assist the Arkansas Department of Environmental Quality in administering the State's base water quality and ground water programs. This project aims to prevent, reduce, and eliminate water pollution through monitoring, standard-setting, TMDL development, permitting, surface and ground water enforcement and compliance activities, program management and other water quality related activities.

Timing: Week of May 30, 2017 **Contact:** John Konkus, Deputy Associate Administrator, Office of Public Affairs, konkus.john@epa.gov

F. Congressional Testimony

1. **ADMINISTRATOR PRUITT TO TESTIFY AT HOUSE APPROPRIATIONS SUBCOMMITTEE HEARING ON EPA BUDGET:** Administrator Pruitt will testify before the Interior, Environment and Related Agencies Subcommittee concerning the President's FY18 Budget.
Timing: June 15, 2017 **Contact:** Troy Lyons, Associate Administrator, OCIR, Lyons.Troy@epa.gov
2. **ADMINISTRATOR PRUITT TO TESTIFY AT SENATE APPROPRIATIONS SUBCOMMITTEE HEARING ON EPA BUDGET:** Administrator Pruitt will testify before the Interior, Environment and Related Agencies Subcommittee concerning the President's FY18 Budget.
Timing: June 27, 2017 **Contact:** Troy Lyons, Associate Administrator, OCIR, Lyons.Troy@epa.gov
3. **SUSAN BODINE, NOMINEE FOR ASSISTANT ADMINISTRATOR FOR ENFORCEMENT AND COMPLIANCE ASSURANCE, CONFIRMATION HEARING SCHEDULED:** The U.S. Senate Committee on Environment & Public Works has scheduled their confirmation hearing for Susan Bodine.
Timing: June 7, 2017 **Contact:** Troy Lyons, Associate Administrator, OCIR, Lyons.Troy@epa.gov

G. Notable Press

1. **U.S. EPA MEDIA RELATIONS: EPA TAKES ACTION TO POSTPONE COSTLY STEAM ELECTRIC POWER PLANT EFFLUENT GUIDELINES RULE:**
Administrator Pruitt signed a proposed rule to postpone compliance dates for the effluent limitations guidelines and standards for steam electric power plants (ELG Rule). This action, if finalized, will provide relief from the deadlines under the existing ELG Rule while we carefully consider the next steps for this regulation. Last month EPA determined that two administrative petitions asking the agency to reconsider the 2015 ELG Rule raised issues sufficient to warrant reconsideration of the rule.
Link: <https://www.epa.gov/newsreleases/epa-takes-action-postpone-costly-steam-electric-power-plant-effluent-guidelines-rule>
2. **U.S. EPA BUDGET RETURNS FOCUS TO CORE STATUTORY MISSION:** The proposed FY2018 budget for the EPA provides \$5.655 billion to help the agency protect human health and the environment. The President's budget aims to reduce redundancies and inefficiencies and prioritize EPA's core statutory mission of providing Americans with clean air, land, and water.
Link: <https://www.epa.gov/newsreleases/epa-budget-returns-focus-core-statutory-mission>

H. Other/Awareness Only

1. **EPA INITIATION OF FORMAL TRIBAL CONSULTATION ON WOTUS REWRITE.** On April 20, 2017, EPA initiated formal Tribal consultation on drafting a revised definition of “Waters of the United States.” Throughout this process EPA will reach out to each of the Tribes to solicit feedback on how best to draft a definition of “Waters of the United States” that is clear and easily implemented.
Timing: Initiated on April 20, 2017; Informal Webinar held on May 18, 2017 **Contact:** Sarah Greenwalt, Senior Advisor, Greenwalt.Sarah@epa.gov
2. **REGULATORY REFORM EXECUTIVE ORDER IMPLEMENTATION.** Per the President’s Executive Order 13777, “Enforcing the Regulatory Reform Agenda,” EPA’s designated Regulatory Reform Task Force solicited public feedback on opportunities to repeal, modify or replace existing regulations. The public comment period closed May 15 and we received more than 60,000 public comments. The Task Force has started to review public comments and delivered its progress report to the Administrator on May 25.
Timing: Progress report sent to Administrator on May 25, 2017 **Contact:** Brittany Bolen, Senior Deputy Associate Administrator, Office of Policy, bolen.brittany@epa.gov
3. **EPA TO WITHDRAW “ADEQUATE FACILITY” DETERMINATION FOR PUGET SOUND.** In order to establish a no-discharge zone for an area, the EPA must determine that adequate pump out facilities exist in that region. On January 19—the eve of the President’s inauguration—EPA made a determination that adequate pump out facilities existed within the Puget Sound. After reviewing the basis of that decision, the current administration has determined that there are not an adequate number of facilities that can service the industry.
Timing: Options Paper for withdrawal – 1 week **Contact:** Sarah Greenwalt, Senior Advisor, Greenwalt.Sarah@epa.gov
4. **RISK MANAGEMENT PROGRAM RULE:** The public comment period regarding the proposal to delay the effective date of the RMP final rule ended on May 19. We are targeting this for signature as early as June 9th. A final rule should be promulgated before June 19, the current effective date of the RMP final rule.
Timing: Before June 19, 2017 **Contact:** Reggie Cheatham, Director, Office of Emergency Management, cheatham.reggie@epa.gov

Key Events for Upcoming 30 Days

Major Policy Speeches

- | | |
|---------|--|
| June 20 | 10th Anniversary Energy Summit (US Chamber), (Washington, DC). |
| June 20 | BCIU Roundtable Discussion, (Washington, DC). The Business Council for International Understanding is a nonpartisan, US-based organization that works to expand international trade and commerce. The Administrator will discuss the regulatory |

agenda of the EPA, the nexus of environmental policy and business, and his vision of returning the EPA to its core mission of protecting the environment by engaging with public and private sector partners to create sensible regulations that enhance economic growth.

June 21 **Manhattan Institute, (New York City).**

Events

June 11-12 **G7 Summit – Ministerial Meeting on Environment, (Italy).**

June 15 **Administrator Pruitt to Testify at House Appropriations Subcommittee, (Washington, DC).**

June 15 **AFPM Board Meeting, (Washington, DC).** Administrator Pruitt to be introduced to the Executive Committee of American Fuel & Petrochemical Manufacturers and have a discussion on key priorities for the refining and petrochemical industries.

June 19 **Health Partners Group Meeting, (Washington, DC).** Meeting to discuss the important role the EPA plays in cleaning up the air we breathe and protecting millions of Americans from the life-threatening dangers of air pollution.

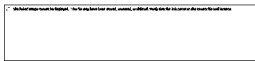
June 27 **Administrator Pruitt to Testify at Senate Appropriations Subcommittee, (Washington, DC).**

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 11/28/2017 8:57:16 PM
To: 'spencer.toma@mofb.com' [spencer.toma@mofb.com]
Subject: Undeliverable: CERCLA-EPCRA Update
Attachments: CERCLA-EPCRA Update

Your message

To: Bennett, Tate
CC: Gordon, Stephen
Subject: CERCLA-EPCRA Update
Sent: 11/28/2017 8:57:12 PM



Your message to spencer.toma@mofb.com couldn't be delivered.

spencer.toma wasn't found at mofb.com, or the mailbox is unavailable.

Bennett.Tate	Office 365	spencer.toma
Action Required		Recipient
Unknown To address		

How to Fix It

The email address might be misspelled or it might not exist. Try one or more of the following:

- **Retype the recipient's address, then resend the message** - If you're using Outlook, open this non-delivery report message and click **Send Again** from the menu or ribbon. In Outlook on the web, select this message, and then click the "**To send this message again, click here.**" link located just above the message preview window. In the To or Cc line, delete and then retype the entire recipient's address (ignore any address suggestions). After typing the complete address, click **Send** to resend the message. If you're using an email program other than Outlook or Outlook on the web, follow its standard way for resending a message. Just be sure to delete and retype the recipient's entire address before resending it.
- **Remove the recipient from the recipient Auto-Complete List, then resend the message** - If you're using Outlook or Outlook on the web, follow the steps in the "Remove the recipient from the recipient Auto-Complete List" section of [this article](#). Then resend the message. Be sure to delete and retype the recipient's entire address before clicking **Send**.

- **Contact the recipient by some other means**, (by phone, for example) to confirm you're using the right address. Ask them if they've set up an email forwarding rule that could be forwarding your message to an incorrect address.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.351

When Office 365 tried to send the message, the external email server returned an error stating that the recipient is unknown or the mailbox is unavailable. This error was reported by an email server outside Office 365.

If you or the sender can't fix the problem, contact the responsible party's email admin - Give them the error code and error message from this non-delivery report (NDR) to help them troubleshoot the issue. To determine who the responsible party might be, check the error for information about where the problem is happening. For example, look for a domain name like contoso.com. A domain name in the error might suggest who is responsible for the error. It could be the recipient's email server, or it could be a third-party service that your organization or the recipient's organization is using to process or filter email messages.

Although the sender might be able to fix the issue by correcting the recipient address, it's likely that only the recipient's email admin can fix the problem. Unfortunately, it's unlikely Office 365 Support will be able to help with these kinds of externally reported errors.

Original Message Details

Created Date: 11/28/2017 8:57:12 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: spencer.toma@mofb.com
Subject: CERCLA-EPCRA Update

Error Details

Reported error: 550 5.1.351 Remote server returned unknown recipient or mailbox unavailable -> 550 No such user (spencer.toma@mofb.com)
DSN generated by: CY4PR09MB1512.namprd09.prod.outlook.com
Remote server: mail.mofb.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	11/28/2017 8:57:13 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	mapi

Original Message Headers

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version; bh=r9+uyLGTjyW/dsnnyZAm4h2yuyw88EO8YbqS0Dxpzwc=;

b=UCoaOf6rUgpgn6v5l9+wCG82c/BZq5jSMFRKihhaeyKsIvcpIei4raCWayOMmdqpT2qzSLbmroJJeXk3O86x/6f53vULnOtZlZg/tSdM2hIfzg8+PeKUab9H7ewh17OML1HD3/N4IT0yzNVXZYXGbAjf24WThwLoxM4stYTtnJI=

Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by CY4PR09MB1512.namprd09.prod.outlook.com (10.173.191.146) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.260.4; Tue, 28 Nov 2017 20:57:13 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id 15.20.0260.007; Tue, 28 Nov 2017 20:57:13 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>

CC: "Gordon, Stephen" <gordon.stephen@epa.gov>

Subject: CERCLA-EPCRA Update

Thread-Topic: CERCLA-EPCRA Update

Thread-Index: AdNj8qj2YH1zHWLnRM+brfGmCWXdngEmC52g

Date: Tue, 28 Nov 2017 20:57:12 +0000

Message-ID: <CY4PR09MB15092B4D3E80CB03194AD79E963A0@CY4PR09MB1509.namprd09.prod.outlook.com>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach:

X-MS-TNEF-Correlator:

authentication-results: spf=none (sender IP is) smtp.mailfrom=Bennett.Tate@epa.gov;

x-originating-ip: [161.80.87.199]

x-ms-publictraffictype: Email

x-microsoft-exchange-diagnostics: 1;CY4PR09MB1512;6:5zMwc+JwP4smMwIEgayXD9M3fVdDv7aM2KcVUK1N/AnsjiCe6nFW3GcSNmiYn5rm7+nJkHYwEXQ4wpXdl4FQJ7KcElpXOMRnE38ZDOvEs0Z4W3iE6aW+onryfNCTeNk93Q9tDaLqAP0zRjgK3dVXQzYsLoqSgsA7o+7D9C+tMQtk3Ccr3k1ist0e6Uc5W20jsfRqcikGGm9a2HjLjtOOJJULcc8nQQacGKFY5lOfKxRNQZjVom7DWmKmM+Flv2Qyrr7NiKIRB7n2emkA+9zJE7px3aK36+uVLFuJfsIJFW+LbMeNRKA49Mp48z4CA+rC4x6il1yz7F0nUmTS7Lh5l1jEEKVCseaxG9Ij1j12jDdh8=;5:yAMMACogyKponetgwnWpUPqTp+3Mepax5nEHWNEsinrAmzF03qjnRiE92jJtVYPYV18F0hLeHNguDuTz8yY4/CdG6BqWvd310EteSmq7AnVvOC+vxvTJoxqcYrLhN4Dv8cBhkcnLxehLwdJG1/lmK2EIQbo859DbFN/5xszc8Q=;24:1/SwL5ANZl+8U9YZYKqZITQL7E9fyp28loKfNUqtNv/rSUz5HpuwYYS2sMbRf2B0WKNqrwCNfRFBPAreqyxdC7plhl+zf5WCuk/uYdJ47us=;7:NjJavGLQ65PIzXh4WCXcGLcGcc1+HSg8qRC2UQy sosoctHrny4vvbAMcmkH13znJ3m2ofm0uoBPm/vxmamnrzXklI2GO7JTDrvjk2sCgABsZz43X/0OzkVkhcb7z1TunOVNMA+QbsrHbARUhzKeiue8HGOslo8TYIyzzXP/t0qL37IkVvtMkQXbEnIDgC/4GZ/4c2P/AJP+ordxwZucJGC3Li zPoYE3ICNHn8e4069OhU9q4hUo1D2Dqvi5DY8C

x-ms-office365-filtering-correlation-id: a3d54611-be1e-414a-cdf4-08d536a2997e

x-microsoft-antispam: UriScan;BCL:0;FCL:0;RULEID:(4534020)(4602075)(4627115)(201703031133081)(201702281549075)(5600026)(4604075)(2017052603258);SFVR:CY4PR09MB1512;

x-ms-traffictypediagnostic: CY4PR09MB1512;
x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr
x-microsoft-antispam-prvs:
<CY4PR09MB15125289ED9254A6D07A1446963A0@CY4PR09MB1512.namprd09.prod.outlook.com>
x-exchange-antispam-report-test:
UriScan:(18691203564520)(261320762254229)(227612066756510)(21748063052155)(211171220733660)(229425074694992);
x-exchange-antispam-report-cfa-test:
BCL:0;PCL:0;RULEID:(6040450)(2401047)(8121501046)(5005006)(10201501046)(93006095)(93001095)(3002001)(3231022)(6041248)(20161123555025)(201703131423075)(201702281528075)(201703061421075)(201703061406153)(20161123560025)(20161123562025)(20161123564025)(20161123558100)(6072148)(201708071742011);SRVR:CY4PR09MB1512;BCL:0;PCL:0;RULEID:(100000803101)(100110400095);SRVR:CY4PR09MB1512;
x-forefront-prvs: 0505147DDB
x-forefront-antispam-report:
SFV:NSPM;SFS:(10019020)(376002)(346002)(366004)(15604003)(189002)(85664002)(199003)(40154002)(66066001)(53936002)(3480700004)(54896002)(9686003)(6306002)(189998001)(236005)(33656002)(4326008)(8656006)(105586002)(106356001)(6862004)(39060400002)(99286004)(101416001)(16865895004)(733005)(3280700002)(77096006)(8666007)(6506006)(6436002)(2420400007)(966005)(15650500001)(10710500007)(16799955002)(2906002)(3660700001)(15974865002)(861006)(72206003)(478600001)(19610725007)(7736002)(68736007)(14454004)(74316002)(81156014)(8676002)(81166006)(25786009)(55016002)(8936002)(2900100001)(7110500001)(790700001)(7406005)(3846002)(86362001)(7366002)(6116002)(102836003)(5660300001)(7336002)(7416002)(97736004)(606006)(7276002)(50986999)(54356999)(6200100001)(7696005)(65686004)(53546010)(316002)(16866105001)(15695565005);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR09MB1512;H:CY4PR09MB1509.namprd09.prod.outlook.com;FPR:;SPF:None;PTR:InfoNoRecords;MX:1;A:1;LANG:en;
received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)
spamdiagnosticoutput: 1:99
spamdiagnosticmetadata: NSPM
Content-Type: multipart/alternative;
 boundary="___000___CY4PR09MB15092B4D3B80CE03194AD79E963A0CY4PR09MB1509namprd09prod.outlook.com___"
MIME-Version: 1.0
X-OriginatorOrg: epa.gov
X-MS-Exchange-CrossTenant-Network-Message-Id: a3d54611-be1e-414a-cdf4-08d536a2997e
X-MS-Exchange-CrossTenant-originalarrivaltime: 28 Nov 2017 20:57:12.8588
 (UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1512

Delivery Report

From: postmaster@fb.org [postmaster@fb.org]
Sent: 1/16/2018 8:17:59 PM
To: juliar@fb.org
Subject: Undeliverable: EPA fact sheets hazardous substances from animal waste
Attachments: EPA fact sheets hazardous substances from animal waste

Your message

To: Bennett, Tate
CC: Sands, Jeffrey; Gordon, Stephen; Subramanian, Hema
Subject: EPA fact sheets hazardous substances from animal waste
Sent: 1/16/2018 8:17:46 PM



Your message to juliar@fb.org couldn't be delivered.

juliar wasn't found at fb.org.

Bennett.Tate
Action Required

Office 365

juliar
Recipient

Unknown To address

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 1/16/2018 8:17:46 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: juliar@fb.org
Subject: EPA fact sheets hazardous substances from animal waste

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient juliar@fb.org not found by SMTP address lookup
DSN generated by: BLUPR01MB1620.prod.exchangelabs.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	1/16/2018 8:17:46 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	mapi

2	1/16/2018 8:17:46 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1511.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
3	1/16/2018 8:17:52 PM	gcc01-dm2-obe.outbound.protection.outlook.com	CO1NAM05FT019.mail.protection.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
4	1/16/2018 8:17:55 PM	CO1NAM05FT019.eop-nam05.prod.protection.outlook.com	BY2PR01CA0020.outlook.office365.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA
5	1/16/2018 8:17:56 PM	BY2PR01CA0020.prod.exchangelabs.com	BLUPR01MB1620.prod.exchangelabs.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA

Original Message Headers

Received: from BY2PR01CA0020.prod.exchangelabs.com (10.163.25.30) by BLUPR01MB1620.prod.exchangelabs.com (10.162.212.14) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Tue, 16 Jan 2018 20:17:56 +0000

Received: from CO1NAM05FT019.eop-nam05.prod.protection.outlook.com (2a01:111:f400:7e50::209) by BY2PR01CA0020.outlook.office365.com (2a01:111:e400:5262::30) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384) id 15.20.407.7 via Frontend Transport; Tue, 16 Jan 2018 20:17:55 +0000

Authentication-Results: spf=pass (sender IP is 23.103.201.108) smtp.mailfrom=epa.gov; fb.org; dkim=pass (signature was verified) header.d=usepa.onmicrosoft.com;fb.org; dmarc=permxerror action=none header.from=epa.gov;

Received-SPF: Pass (protection.outlook.com: domain of epa.gov designates 23.103.201.108 as permitted sender) receiver=protection.outlook.com; client-ip=23.103.201.108; helo=gcc01-dm2-obe.outbound.protection.outlook.com;

Received: from gcc01-dm2-obe.outbound.protection.outlook.com (23.103.201.108) by CO1NAM05FT019.mail.protection.outlook.com (10.152.96.127) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P384) id 15.20.428.12 via Frontend Transport; Tue, 16 Jan 2018 20:17:52 +0000

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version; bh=X7FGGCgmObVQxWaYop1DYWGtYLvcqLrclzaMwFge/v8=;

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From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>
CC: "Sands, Jeffrey" <sands.jeffrey@epa.gov>, "Gordon, Stephen"
 <gordon.stephen@epa.gov>, "Subramanian, Hema" <Subramanian.Hema@epa.gov>
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Thread-Topic: EPA fact sheets hazardous substances from animal waste
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(UTC)

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From: Thomas, Latosha [Thomas.Latosha@epa.gov]
Sent: 3/28/2018 6:04:17 PM
To: Subramanian, Hema [Subramanian.Hema@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]
Subject: FW: ACTION Required: TALKING POINTS: CERCLA/EPCRA Animal Waste Reporting

Hi!

Here are the latest TPs for animal waste reporting. Reviewed by OLEM + OGC. Thanks!

CERCLA/EPCRA REPORTING REQUIREMENTS FOR FARMS

TALKING POINTS:

- On March 23, 2018, the Consolidated Appropriations Act, 2018 (Omnibus Bill), was signed into law. Title XI of the Omnibus Bill, called the “Fair Agricultural Reporting Method Act” or “FARM Act”, exempts the reporting of “air emissions from animal waste at a farm” under CERCLA.
 - When the D.C. Circuit Court of Appeals issues its mandate vacating the 2008 final rule (expected as soon as May 1, 2018), farms will remain exempt from the CERCLA reporting requirements as a result of the Omnibus Bill.
 - EPA interprets the EPCRA statute to exclude farms that use substances in “routine agricultural operations” from reporting under EPCRA section 304. This encompasses routine operations at farms, animal feeding operations, nurseries, other horticultural operations and aquaculture.

BACKGROUND:

- In 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substances from animal waste. This final rule applied to reporting under section 103 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA). For EPCRA reporting, the rule exempted farms that contained fewer than a certain number of animals from reporting.
- Citizen groups challenged the 2008 final rule, and on April 11, 2017, the rule was vacated by the D.C. Circuit Court of Appeals.
- The D.C. Circuit has stayed issuance of a mandate vacating the 2008 final rule until May 1, 2018. Once the court issues the mandate, the reporting requirements will go back into effect for air releases of hazardous substances from animal waste at farms.
- The “FARM Act”, passed by Congress as part of the Omnibus Bill on March 23, 2018, exempts the reporting of “air emissions from animal waste at a farm” under CERCLA.
- EPA is revising the CERCLA/EPCRA guidance for reporting air releases from animal waste at farms and the frequently asked questions (FAQs) at www.epa.gov/animalwaste to reflect the recent passage of the “FARM Act”.

Latosha Thomas
U.S. Environmental Protection Agency
OLEM/OEM/RMD
(202) 564-2621 (desk)
(202) 568-0851 (cell)
thomas.latosha@epa.gov

Message

From: john wills [jwills@vol.com]
Sent: 1/17/2018 7:40:27 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Re: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Thanks

-----Original Message-----

From: "Bennett, Tate"
Sent: Jan 17, 2018 2:29 PM
To: "Bennett, Tate"
Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

All—

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period.

As such, EPA invites you and your operation to learn more about the basis of this action via a phone briefing on Friday, 1/19, at 1 PM EASTERN TIME ZONE.

WHO: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS
WHEN: FRIDAY, JANUARY 19, 1PM EASTERN START TIME (feel free to dial in early around 12:50 PM Eastern).
HOW: Call line:

Conference Number / Ex. 6

Code:

If you have any additional questions on this topic and for more information, please contact the Environmental Protection Agency via the information provided below:

- <!--[if !supportLists]-->Visit www.epa.gov/animalwaste for guidance and access to the continuous release reporting forms
- <!--[if !supportLists]-->Email comments or suggestions on guidance materials to: CERCLA103.guidance@epa.gov
- <!--[if !supportLists]-->Regional Contacts: www.epa.gov/epcra/cr-erns-regional-contacts
- Call with questions: 1-800-424-9346

Please let us know if you have additional questions and we look forward to your joining the call on Friday.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator

U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 11/28/2017 8:57:14 PM
To: 'don.brown@state.co.gov' [don.brown@state.co.gov]
Subject: Undeliverable: CERCLA-EPCRA Update
Attachments: CERCLA-EPCRA Update

Your message

To: Bennett, Tate
CC: Gordon, Stephen
Subject: CERCLA-EPCRA Update
Sent: 11/28/2017 8:57:12 PM

Delivery has failed to these recipients or groups:

'don.brown@state.co.gov' (don.brown@state.co.gov)

Your message couldn't be delivered. The Domain Name System (DNS) reported that the recipient's domain does not exist.

Contact the recipient by some other means (by phone, for example) and ask them to tell their email admin that it appears that their domain isn't properly registered at their domain registrar. Give them the error details shown below. It's likely that the recipient's email admin is the only one who can fix this problem.

For more information and tips to fix this issue see this article:
<https://go.microsoft.com/fwlink/?LinkId=389361>.

Diagnostic information for administrators:

Generating server: CY4PR09MB1512.namprd09.prod.outlook.com

don.brown@state.co.gov

Remote Server returned '550 5.4.310 DNS domain state.co.gov does not exist [Message=InfoDomainNonexistent]
[LastAttemptedServerName=state.co.gov] [CY1GCC01FT005.eop-gcc01.prod.protection.outlook.com]'

Original message headers:

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;
s=selector1-epa-gov;
h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
bh=r9+uyLGTjyW/dsnnYZAm4h2yuyw88BO8YbqS0Dxpzwc=;

b=UCoaOf6rUgpgn6v5l9+wCG82c/BZq5jSMFRKihhaeyKsIvcpIei4raCWayOMmdqpT2qzSLbnroJJeXk3O86x/6f
53vULnOtZlZg/tScMQhIfzg8+PeKUab9H7ewh17OMI1HD3/N4IIQyxNVXZYXGbAjf24WThwLozM4stYTtnJI=
Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by
CY4PR09MB1512.namprd09.prod.outlook.com (10.173.191.146) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.260.4; Tue, 28 Nov 2017 20:57:13 +0000
Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by
CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
15.20.0260.007; Tue, 28 Nov 2017 20:57:13 +0000
From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
CC: "Gordon, Stephen" <gordon.stephen@epa.gov>
Subject: CERCLA-EPCPA Update
Thread-Topic: CERCLA-EPCPA Update
Thread-Index: AdNj8qj2YHLzHWLnRM+brfGmCWXdngEmC52g
Date: Tue, 28 Nov 2017 20:57:12 +0000
Message-ID:
<CY4PR09MB15092E4D3B80CB03194AD79E963A0@CY4PR09MB1509.namprd09.prod.outlook.com>
Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
authentication-results: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;
z-originating-ip: [161.80.87.199]
x-ms-publictraffictype: Email
x-microsoft-exchange-diagnostics:
1;CY4PR09MB1512;6:5zMwc+JwP4smMWIEgagYKD9M3fVdDv7aM2KcVUK1N/AnsjiCe6nFw3GcsNmiYn5rm7+nJkHY
wEXQ4wpXdl4FQJ7KoElpXOMPnE38ZDOvBsoZ4W3iE6aW+onryfNCTeNk93Q9tDaLqAP0zKjgK3dVXQzYsLoqSgsA7
o+7D9C+tmQtk3Ccr3kllSt0e6Uc5W20jsfPqcihGGm9aZHjLjtOGJJULcc8nQ2acGKfY5lOfKzRNQZjVom7DWnKnm
+Flv2Qyrr7NiKIRB7n2emKA+9zJE7pz3aK36+uVLFUjfs1JFW+LbMeNRKA49Mp48z4CA+rC4z6i1yz7F0nUmTS7L
h5ljEEKVCseazG9Ijj12jDdh8=;5:yAMMACogyKpnetqwnWpUPqTp+3Mepaz5nEHWNEsinrAmxFO3qjnPiE9ZjJt
VYPYV18F0hLeHNguDuTz8yY4/CdG6BqWvd3l0EteSmq7AnVvOC+vxvTJoxqcYrlhN4Dv8cBhkccenLzehLwdJG1/lm
K2EI2bo859DbFN/5mszc8Q=;24:1/SwL5ANZl+8U9YZYKqZITQL7E9fyp28loKfNUqtNv/rsUz5HpuwYYSZsMbRf2
B0WKNqrWCnfrPBPAREqyxdC7plHl+zF5WCuk/uYdJ47us=;7:NjJavGLQ65PIzXh4WCXcGICqGcc1+HSg8qRC2UQy
sosoctHrny4vvbAMcmkHl3znJ3m2ofm0uoBpm/vzmannrrXkll2GO7JTDrvjk2sCgABs2z43X/0OzkVkhcb7x1Iun
0VNMA+QbsrHbARUhzKefuo8HCOsl08TYIyzzXP/t0qL37IkVvtMkQXbEnIDgC/4GZ/4c2P/AJP+ordxw2ucJGC3Ll
zPoYE3ICNHn8e4069OhU9q4hUo1D2Dqvi5DY8C
z-ms-office365-filtering-correlation-id: a3d54611-bele-414a-cdf4-08d536a2997e
z-microsoft-antispam:
UriScan:;BCL:0;PCL:0;RULEID:(4534020)(4602075)(4627115)(201703031133081)(201702281549075)
(5600026)(4604075)(2017052603258);SRVR:CY4PR09MB1512;
x-ms-trafficdiagnostictype: CY4PR09MB1512;
x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr
x-microsoft-antispam-prvs:
<CY4PR09MB15125289ED9254A6D07A1446963A0@CY4PR09MB1512.namprd09.prod.outlook.com>
z-exchange-antispam-report-test:
UriScan:(18691203564520)(261320762254229)(227612066756510)(21748063052155)(21117122073366
0)(229425074694992);
x-exchange-antispam-report-cfa-test:
BCL:0;PCL:0;RULEID:(6040450)(2401047)(8121501046)(5005006)(10201501046)(93006095)(9300109
5)(3002001)(3231022)(6041248)(20161123555025)(201703131423075)(201702281528075)(201703061
421075)(201703061406153)(20161123560025)(20161123562025)(20161123564025)(20161123558100)(
6072148)(201708071742011);SRVR:CY4PR09MB1512;BCL:0;PCL:0;RULEID:(100000803101)(1001104000
95);SRVR:CY4PR09MB1512;
x-forefront-prvs: 0505147DDE
x-forefront-antispam-report:
SFV:NSPM;SFS:(10019020)(376002)(346002)(366004)(15604003)(189002)(85664002)(199003)(40154
002)(66066001)(53936002)(3480700004)(54896002)(9686003)(6306002)(189998001)(236005)(33656
002)(4326008)(8656006)(105586002)(106356001)(6862004)(39060400002)(99286004)(101416001)(1
6865895004)(733005)(3280700002)(77096006)(8666007)(6506006)(6436002)(2420400007)(966005)(
15650500001)(10710500007)(16799955002)(2906002)(3660700001)(15974865002)(861006)(72206003

) (478600001) (19610725007) (7736002) (68736007) (14454004) (74316002) (81156014) (8676002) (81166006) (25786009) (55016002) (8936002) (2900100001) (7110500001) (790700001) (7406005) (3846002) (86362001) (7366002) (6116002) (102836003) (5660300001) (7336002) (7416002) (97736004) (606006) (7276002) (50986999) (54356999) (6200100001) (7696005) (65686004) (53546010) (316002) (16866105001) (15695565005);DIP:OUT;SFP:1102;SCL:1;SRVP:CY4PR09MB1512;H:CY4PR09MB1509.namprd09.prod.outlook.com;FPR:;SPF:None;PTR:InfoNoRecords;MX:1;A:1;LANG:en;
received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)
spamdiagnosticoutput: 1:99
spamdiagnosticmetadata: NSPM
Content-Type: multipart/alternative;
 boundary="___000___CY4PR09MB15092B4D3E80CB03194AD79E963A0CY4PR09MB1509namprd___"
MIME-Version: 1.0
X-OriginatorOrg: epa.gov
X-MS-Exchange-CrossTenant-Network-Message-Id: a3d54611-bele-414a-cdf4-08d536a2997e
X-MS-Exchange-CrossTenant-originalarrivaltime: 28 Nov 2017 20:57:12.8588 (UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1512

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 1/16/2018 8:17:54 PM
To: asmart@mainefarmbureau.com
Subject: Undeliverable: EPA fact sheets hazardous substances from animal waste
Attachments: EPA fact sheets hazardous substances from animal waste

Your message

To: Bennett, Tate
CC: Sands, Jeffrey; Gordon, Stephen; Subramanian, Hema
Subject: EPA fact sheets hazardous substances from animal waste
Sent: 1/16/2018 8:17:46 PM



Your message to asmart@mainefarmbureau.com couldn't be delivered.

asmart wasn't found at mainefarmbureau.com.

Bennett.Tate
Action Required

Office 365

asmart
Recipient

Unknown To address

How to Fix It

The address might be misspelled or might not exist. Try one or more of the following:

- **Retype the recipient's address, then resend the message** - If you're using Outlook, open this non-delivery report message and click **Send Again** from the menu or ribbon. In Outlook on the web, select this message, and then click the "**To send this message again, click here.**" link located just above the message preview window. In the To or Cc line, delete and then retype the entire recipient's address (ignore any address suggestions). After typing the complete address, click **Send** to resend the message. If you're using an email program other than Outlook or Outlook on the web, follow its standard way for resending a message. Just be sure to delete and retype the recipient's entire address before resending it.
- **Remove the recipient from the recipient Auto-Complete List, then resend the message** - If you're using Outlook or Outlook on the web, follow the steps in the "Remove the recipient from the recipient Auto-Complete List" section of [this article](#). Then resend the message. Be sure to delete and retype the recipient's entire address before clicking **Send**.
- **Contact the recipient by some other means**, (by phone, for example) to confirm you're using the right address. Ask them if they've set up an email forwarding rule that could be forwarding your message to an incorrect address.

If the problem continues, ask the recipient to tell their email admin about the problem, and give them the error (and the name of the server that reported it) shown below. It's likely that only the recipient's email admin can fix this problem.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.4.1

This error occurred because a message was sent to an email address hosted by Office 365, but the address doesn't exist in the receiving organization's Office 365 directory. Directory Based Edge Blocking (DBEB) is enabled for mainefarmbureau.com, and DBEB rejects messages addressed to recipients who don't exist in the receiving organization's Office 365 directory. This error is reported by the recipient domain's email server, but most often it can be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

Check that the email address exists and is correct - Confirm that the recipient address exists in your Office 365 directory, is correct, and is accepting messages.

Synchronize your directories - Make sure directory synchronization is working correctly, and that the recipient's email address exists in both Office 365 and in your on-premises directory.

Check for errant forwarding rules - Check for forwarding rules for the original recipient that might be trying to forward the message to an invalid address. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Forwarding or Inbox Rules features.

Make sure the recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license to them (Users > Active Users > Select the recipient > Assigned License > Edit).

Make sure that mail flow settings and MX records are correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are set up correctly.

For more information and additional tips to fix this issue, see [this article](#).

Original Message Details

Created Date: 1/16/2018 8:17:46 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: asmart@mainefarmbureau.com
Subject: EPA fact sheets hazardous substances from animal waste

Error Details

Reported error: 550 5.4.1 [asmart@mainefarmbureau.com]: Recipient address rejected: Access denied [CY1NAM02FT042.eop-nam02.prod.protection.outlook.com]
DSN generated by: CY4PR09MB1511.namprd09.prod.outlook.com

Remote server: CY1NAM02FT042.mail.protection.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	1/16/2018 8:17:46 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	mapi
2	1/16/2018 8:17:46 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1511.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA

Original Message Headers

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version; bh=X7FGGCgmObVQxWaYopIDYWGtYLvcqLrclzaMwFge/v8=;

b=1740suMpl5tu+JEbNlMlSWwiNJOIEoblVRfMTieCFnakjtQvynw6UogOVQajeBJqeMzz9sngw0cuBX0Npj j p0cXe aNb+TJWicv92Nal6/ub4bKkzj9zKbGHIzPpRKKuTVhtAjSh/qLwz5QAnPe2UM77O8rnX8MJ9wiPOSStqWPs=

Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by CY4PR09MB1511.namprd09.prod.outlook.com (10.173.191.145) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Tue, 16 Jan 2018 20:17:46 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id 15.20.0407.012; Tue, 16 Jan 2018 20:17:46 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>

CC: "Sands, Jeffrey" <sands.jeffrey@epa.gov>, "Gordon, Stephen" <gordon.stephen@epa.gov>, "Subramanian, Hema" <Subramanian.Hema@epa.gov>

Subject: EPA fact sheets hazardous substances from animal waste

Thread-Topic: EPA fact sheets hazardous substances from animal waste

Thread-Index: AdOPBTFj qVj l wTpgSN6lu3P82tdF+A==

Date: Tue, 16 Jan 2018 20:17:46 +0000

Message-ID: <CY4PR09MB1509B14AD1B210EA8290681796EA0@CY4PR09MB1509.namprd09.prod.outlook.com>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach: yes

X-MS-TNEF-Correlator:

authentication-results: spf=none (sender IP is) smtp.mailfrom=Bennett.Tate@epa.gov;

x-originating-ip: [161.80.87.199]

x-ms-publictraffictype: Email

x-microsoft-exchange-diagnostics: 1;CY4PR09MB1511;7:ML6BwEfIRVe8DuVFW+OAXwQTPfRKCKZeBLExKCpGy6Z/djsmrMnS4G3eNnVIUNark9BGLw+qW303SidwCb j81kGuNtscK8xiy6/5Nq18EtqnW82EYcNH42OOf3ZP1L/t5yb31qAF4biq7F2s/OL/Bu/PwexQVC9f7v1KJ/EB56Ek5zcvbuF4e3X1NwxiSg/W+SvLRjFk6DiE/PfEoWX5ahMBU3CpYXnWKhIXuUk6/bMT3mhrmm6B1UVGc gXy+rDG

x-ms-office365-filtering-correlation-id: 31726c22-6d11-4db0-86c0-08d55d1e351e
x-microsoft-antispam:
UriScan:;BCL:0;PCL:0;RULEID:(7020095)(4652020)(5600026)(4604075)(3008032)(2017052603307)(7153060)(49563074)(7193020);SPVR:CY4PR09MB1511;
z-ms-trafficdiagnostic: CY4PR09MB1511;
x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr
z-microsoft-antispam-prvs:
<CY4PR09MB15113C5B4E7F2DAC95BA9F2796EA0@CY4PR09MB1511.namprd09.prod.outlook.com>
x-exchange-antispam-report-test:
UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(229425074694992);
x-exchange-antispam-report-cfa-test:
BCL:0;PCL:0;RULEID:(102415395)(6040470)(2401047)(8121501046)(5005006)(3002001)(93006095)(93001095)(3231023)(944501161)(10201501046)(6041268)(20161123560045)(20161123562045)(20161123564045)(201703131423095)(201702281528075)(20161123555045)(201703061421075)(201703061406153)(20161123558120)(6072148)(201708071742011);SRVR:CY4PR09MB1511;BCL:0;PCL:0;RULEID:(10000803101)(100110400095);SRVR:CY4PR09MB1511;
x-forefront-prvs: 0554B1F54F
x-forefront-antispam-report:
SFV:NSPM;SFS:(10019020)(1496009)(346002)(366004)(396003)(39860400002)(39380400002)(376002)(189003)(199004)(7276002)(7736002)(7406005)(7336002)(7416002)(6116002)(5660300001)(74316002)(790700001)(3846002)(99936001)(7366002)(39060400002)(6862004)(99286004)(6200100001)(106356001)(8936002)(25786009)(8676002)(81156014)(81166006)(68736007)(66066001)(33656002)(4326008)(97736004)(105586002)(8666007)(9686003)(236005)(14454004)(55016002)(6436002)(4743002)(86362001)(606006)(3280700002)(59450400001)(3660700001)(2900100001)(7696005)(53936002)(2906002)(102836004)(76576003)(316002)(478600001)(6506007)(72206003)(77096006)(54906003)(6306002)(54896002)(8656006)(26005);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR09MB1511;H:CY4PR09MB1509.namprd09.prod.outlook.com;FPR:;SPF:None;PTR:InfoNoRecords;MX:1;A:1;LANG:en;
received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)
z-microsoft-antispam-message-info:
THxLXRwgqNHAr73tqNEk2D7DVEF65nrAUhFQa2dQOkY9ZaMJep/I2IR3unenlMKHizUUJ228+cOGqlHLnwE+rg==
spamdiagnosticoutput: 1:99
spamdiagnosticmetadata: NSPM
Content-Type: multipart/mixed;
 boundary="___005___CY4PR09MB1509B14AD1E210EA8290681796EA0CY4PR09MB1509nampr___"
MIME-Version: 1.0
X-OriginatorOrg: epa.gov
X-MS-Exchange-CrossTenant-Network-Message-Id: 31726c22-6d11-4db0-86c0-08d55d1e351e
X-MS-Exchange-CrossTenant-originalarrivaltime: 16 Jan 2018 20:17:46.1263
 (UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1511

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 7/27/2017 12:09:27 AM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Hupp, Millan [hupp.millan@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Morris, Madeline [morris.madeline@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Guymon Press
Attachments: 07.27.2017 Guymon Oklahoma Press Briefing.docx

Formal briefing attached

From: Graham, Amy
Sent: Wednesday, July 26, 2017 7:20 PM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Morris, Madeline <morris.madeline@epa.gov>; Liz Bowman (Bowman.Liz@epa.gov) <Bowman.Liz@epa.gov>
Subject: Guymon Press

Hey – I just finalized all of the interviews for tomorrow in Guymon and I will be sending the formal briefing shortly. In the meantime, here are the rough details. All of these interviews will be conducted in the hold room at the event site.

11:30 KGYN pre-taped radio interview with Ted Reiley, “The Coffee Club with Ted Reiley” - kgyn@kgynradio.com, news@kgynradio.com

11:40 Fox 14/Nbc 4 KAMR Amarillo, taped TV interview with Brad Pennartz news@kamr.com

11:50 ABC 7 KVII Amarillo, taped TV interview with Drew Powell, Amarillo-KVII-News@sbgvtv.com, daparker@sbgvtv.com

12:00 Guymon Daily Herald, print interview with April, gdhreporter@gmail.com

12:10 Hooker Advance, weekly newspaper, print interview with Sheila, advanceoknews@gmail.com

Press for Thursday, July 27, 2017
Guymon, Oklahoma

11:30 a.m. CT – Pre-taped Radio Interview with Ted Riley, KGYN 1210 AM

Location: Hold room at event
Reporter: Ted Riley
Outlet: KGYN 1210 AM, Guymon
Hit Time: Will air Friday morning at 8:05 a.m. CT
Contact: kgyn@kgynradio.com, 405-269-6716
Format: Pre-taped, 10-minute interview in person
Topics: Visit to Guymon, WOTUS, State Action Tour
Note: Show will air on “The Coffee Club with Ted Riley”

11:40 a.m. CT – TV Interview with Brad Pennartz, Fox 14/NBC 4, Amarillo, Texas

Location: Hold room at event
Reporter: Brad Pennartz
Outlet: KAMR NBC4, KCIT Fox14 Amarillo, My High Plains
Hit Time: Will air on evening news
Contact: Aaron Langston, ALangston@kamr.com, news@kamr.com, 806-383-3321, x443
Format: Taped, 5-10-minute interview in person
Topics: Visit to Guymon, WOTUS, State Action Tour

11:50 a.m. CT – TV Interview with Drew Powell, ABC 7 KVII Amarillo

Location: Hold room at event
Reporter: Drew Powell, 806-673-8840
Outlet: ABC 7 KVII Amarillo, Texas
Hit Time: Will air on evening news
Contact: Debra Parker, 806-373-1787, x215, daparker@sbgvtv.com, Amarillo-KVII-News@sbgvtv.com
Format: Taped, 5-10-minute interview in person
Topics: Visit to Guymon, WOTUS, State Action Tour

12:00 p.m. CT – Print Interview with April Coble, Guymon Daily Herald

Location: Hold room at event
Reporter: April Coble
Outlet: Guymon Daily Herald
Contact: gdhreporter@gmail.com, 580-338-3355
Format: In-person print interview for daily newspaper
Topics: Visit to Guymon, WOTUS, State Action Tour

12:10 p.m. CT – Print Interview with The Hooker Advance

Location: Hold room at event
Reporter: Sheila
Outlet: The Hooker Advance
Contact: 580-522-1076, advanceoknews@gmail.com
Format: In-person print interview for weekly newspaper
Topics: Visit to Guymon, WOTUS, State Action Tour
Note: Weekly newspaper publishes every Wednesday.

Suggested Talking Points:

STATE Action Tour – Oklahoma

- Today I met with representatives from the agriculture industry in Guymon who are impacted by the misguided WOTUS rule.
- This is the fifth state I have visited in the last week on my State Action Tour.
- Additional stops on the State Action Tour have included Utah, Minnesota, Arkansas and South Carolina.
- The State Action Tour is focused on hearing from those who are directly impacted by EPA's rulemaking, and working hand-in-hand with local leaders in order to keep waters pollution-free, while also promoting economic growth and minimizing regulatory burdens for farmers and ranchers.

WOTUS

- Reviewing WOTUS is a top priority for this Administration.
- This is the first step in the two-step process to redefine 'waters of the U.S.'
- We are committed to moving through this re-evaluation to quickly provide regulatory certainty, in a way that is thoughtful, transparent and collaborative.
- EPA and the Administration are committed to keeping waters pollution free, promoting economic growth and minimizing regulatory uncertainty for Congress, state, local and tribal governments; as well as farmers, ranchers and property owners.
- The 2015 definition developed by the Obama Administration in the Clean Water Rule created regulatory uncertainty, threatened economic growth and did not make our water any cleaner.

WOTUS Oklahoma

- Oklahoma is home to 78,000 farms covering 34.2 million acres of land, with the average farm sizing in at 438 acres.¹
- Oklahoma is No. 1 for rye, No. 2 for beef cows and winter wheat, and No. 4 for pecans
- The economic impact of agriculture in Oklahoma is \$7.1B year²
- According to the OKFB the 2015 WOTUS Rule would have vastly expanded EPA jurisdiction by giving the agency authority over creek beds, ponds and even ditches

RFS

- EPA is proposing volume requirements under the Renewable Fuel Standard (RFS) program for 2018 for cellulosic biofuel, biomass-based diesel, advanced biofuel, and total renewable fuel, and biomass-based diesel for 2019 under the Renewable Fuels Program (RFS).
- The EPA is committed to successfully administering the Renewable Fuel Standard (RFS) consistent with the direction entrusted to this agency by Congress.
- Successful implementation provides certainty to our domestic refiners, the agriculture community and broader fuels industry that all play an important role in the RFS program.
- Increased fuel security is an important component of the path towards energy dominance.

¹ Oklahoma Department of Agriculture, Food and Forestry

² National Agricultural Statistics Service

- The agency is on track to meet the November 30th statutory deadline to make today's proposed Renewable Volume Obligations (RVOs) final.
- The agency is proposing and will finalize volumes consistent with market realities focusing on actual production and respective of the continued challenges that exist in bringing advanced biofuels into the marketplace.
- The agency is also taking comment on addressing concerns that some RFS obligations are increasingly met with imported fuel from Brazil, Argentina and Indonesia.
- Additionally, the agency is assessing higher levels of E0 (ethanol-free gasoline) and bolstering an existing MOU with the Commodity Future Trading Commission (CFTC) to analyze and address a host of market concerns, including the need for increased transparency.
- Finally, the Clean Air Act requires EPA to "reset" the volume targets that Congress originally laid out when certain conditions are met. Those conditions are likely to be met in the near future, and EPA will begin conducting technical analysis now that will inform future reset rules.

Livestock Methane

- EPA sought a six month delay of the CERCLA mandate requiring facilities to report hazardous substances when they exceed certain thresholds
- Under the 2008 rule the CERCLA provisions exempted from the reporting requirements all air releases of hazardous substances exceeding reportable quantities from animal waste at farms. The EPCRA reporting exemption was similar but applied only to farms housing fewer animals than the thresholds for large concentrated animal feeding operations or "CAFOs."
- A stay is needed for EPA to develop guidance for farms on how to measure emissions of hazardous substances from animal waste into the air in order to report releases of the substances exceeding threshold levels in compliance with CERCLA and EPCRA
- Waterkeeper petitioners have 10 days to file a response (July 27), and then our reply would be due 7 days later (August 3). The Court would rule sometime after that.
- The earliest we could get a ruling would be August 4, but more likely in the second or third weeks of August. The mandate will not issue until our motion is disposed of, at the earliest.

Regional Haze

- The Regional Haze Rule implements sections 169A and 169B of the Clean Air Act by setting out the requirements that states must follow when submitting plans to protect visibility in 156 national parks and wilderness areas.
 - There are **three** national parks in Oklahoma
- The regional haze provisions of the CAA require certain listed major stationary sources of air pollution to install the "best available retrofit technology" (BART) for "any air pollutant which may reasonably be anticipated to cause or contribute to any impairment of visibility in any" federal Class I areas.
- EPA had disapproved of Oklahoma's SIP and imposed a FIP
- The State of Texas with Oklahoma as a party, filed a petition to review challenging the regional haze FIP
- In July 2015 the US Court of Appeals for the Fifth Circuit stayed the EPA's regional haze rule
- In granting the petitioners' motion for stay, the court found that petitioners had a likelihood of success in establishing that the EPA acted arbitrarily, capriciously, and in excess of its statutory

authority when it disapproved the Texas and Oklahoma implementation plans and imposed a federal implementation plan.

- In March 2017, the 5th circuit left the stay in place and now, under the new administration, EPA is working with Oklahoma and Texas to work to implement SIPs that better reflect state needs.
- EPA is working with Oklahoma and providing proactive technical support to insure that the state is set up for long-term success

Wild Fires

- In March, cattlemen, farmers, ranchers and property owners in Beaver, Harper and Woodward counties were hit with devastating wildfires
- Three separate wildfires burned hundreds of thousands of acres of NWOK
- farmers and ranchers lost over 3000 head of cattle and 1000 miles of fencing in NWOK
- on April 4, USDA, in response to a directive from President Trump, authorized emergency grazing on Conservation Reserve Program (CRP) lands located in Kansas, Oklahoma and Texas of cattle by ranchers who are facing the ruination of their herds due to lack of sufficient grazing land.

Message

From: john wills [jwills@vol.com]
Sent: 1/17/2018 7:38:16 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Re: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

-----Original Message-----

From: "Bennett, Tate"
Sent: Jan 17, 2018 2:29 PM
To: "Bennett, Tate"
Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

All—

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period.

As such, EPA invites you and your operation to learn more about the basis of this action via a phone briefing on Friday, 1/19, at 1 PM EASTERN TIME ZONE.

WHO: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS
WHEN: FRIDAY, JANUARY 19, 1PM EASTERN START TIME (feel free to dial in early around 12:50 PM Eastern).
HOW: Call line: Conference Number / Ex. 6
Code:

If you have any additional questions on this topic and for more information, please contact the Environmental Protection Agency via the information provided below:

- <!--[if !supportLists]-->Visit www.epa.gov/animalwaste for guidance and access to the continuous release reporting forms
- <!--[if !supportLists]-->Email comments or suggestions on guidance materials to: CERCLA103.guidance@epa.gov
- <!--[if !supportLists]-->Regional Contacts: www.epa.gov/epcra/cr-erns-regional-contacts
- Call with questions: 1-800-424-9346

Please let us know if you have additional questions and we look forward to your joining the call on Friday.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency

(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Taylor, Trish [Taylor.Trish@epa.gov]
Sent: 10/4/2017 6:02:17 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
CC: Benjamin, Kent [Benjamin.Kent@epa.gov]
Subject: FW: Draft communications plan for the CERCLA EPCRA reporting requirements
Attachments: DRAFT Comm Plan for Animal Waste Emissions Guidance 10-3-17 (v.2).docx

Hi Tate,

Attached is a draft communications plan that includes a ListServ of potential ag stakeholders. OLEM DAA Patrick Davis suggested that I share the list with you to see if you may have additional names/groups to include in our planned outreach regarding upcoming reporting regs. We've been working with subject matter experts in the Office of Emergency Management (OEM) and OPA has been provided the draft comms plan for review/approval.

Please let me know if you have any questions or concerns.

Thank you,
Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

From: Taylor, Trish
Sent: Tuesday, October 03, 2017 6:31 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>
Cc: Benjamin, Kent <Benjamin.Kent@epa.gov>; Klinger, Adam <Klinger.Adam@epa.gov>; Brooks, Becky <Brooks.Bekky@epa.gov>
Subject: Draft communications plan for the CERCLA EPCRA reporting requirements

Hi Barry and Patrick,

Attached is the draft communications plan for the CERCLA / EPCRA reporting requirements for air releases of hazardous substances from animal waste at farms guidance.

It has been reviewed/approved by RID Division Director, K. Jennings.

OEM is currently working on the communications materials which will include a draft press release, desk statement, webpage update and Q&As.

- The press release mentioned in the plan would be targeted specifically to ag outlets only.
- OEM/ OGC are currently revising the draft Q&As.

Per your suggestion, once you have reviewed/approved the comms plan, I can share with Tate Bennett, to make sure we are not missing any key groups from our ListServ and then move it forward to OPA for input.

Please let me know if you have any questions or concerns.

Thank you,

Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)

U.S. EPA, Office of Land and Emergency Management (OLEM)

WJC West, RM 3137

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 566-2615

taylor.trish@epa.gov

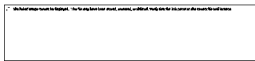
OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 1/16/2018 8:17:51 PM
To: apopelka@kla.org
Subject: Undeliverable: EPA fact sheets hazardous substances from animal waste
Attachments: EPA fact sheets hazardous substances from animal waste

Your message

To: Bennett, Tate
CC: Sands, Jeffrey; Gordon, Stephen; Subramanian, Hema
Subject: EPA fact sheets hazardous substances from animal waste
Sent: 1/16/2018 8:17:46 PM



Your message to apopelka@kla.org couldn't be delivered.

apopelka wasn't found at kla.org.

Bennett.Tate	Office 365	apopelka
Action Required		Recipient
Unknown To address		

How to Fix It

The address might be misspelled or might not exist. Try one or more of the following:

- **Retype the recipient's address, then resend the message** - If you're using Outlook, open this non-delivery report message and click **Send Again** from the menu or ribbon. In Outlook on the web, select this message, and then click the "**To send this message again, click here.**" link located just above the message preview window. In the To or Cc line, delete and then retype the entire recipient's address (ignore any address suggestions). After typing the complete address, click **Send** to resend the message. If you're using an email program other than Outlook or Outlook on the web, follow its standard way for resending a message. Just be sure to delete and retype the recipient's entire address before resending it.
- **Remove the recipient from the recipient Auto-Complete List, then resend the message** - If you're using Outlook or Outlook on the web, follow the steps in the "Remove the recipient from the recipient Auto-Complete List" section of [this article](#). Then resend the message. Be sure to delete and retype the recipient's entire address before clicking **Send**.
- **Contact the recipient by some other means**, (by phone, for example) to confirm you're using the right address. Ask them if they've set up an email forwarding rule that could be forwarding your message to an incorrect address.

If the problem continues, ask the recipient to tell their email admin about the problem, and give them the error (and the name of the server that reported it) shown below. It's likely that only the recipient's email admin can fix this problem.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.4.1

This error occurred because a message was sent to an email address hosted by Office 365, but the address doesn't exist in the receiving organization's Office 365 directory. Directory Based Edge Blocking (DBEB) is enabled for kla.org, and DBEB rejects messages addressed to recipients who don't exist in the receiving organization's Office 365 directory. This error is reported by the recipient domain's email server, but most often it can be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

Check that the email address exists and is correct - Confirm that the recipient address exists in your Office 365 directory, is correct, and is accepting messages.

Synchronize your directories - Make sure directory synchronization is working correctly, and that the recipient's email address exists in both Office 365 and in your on-premises directory.

Check for errant forwarding rules - Check for forwarding rules for the original recipient that might be trying to forward the message to an invalid address. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Forwarding or Inbox Rules features.

Make sure the recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license to them (Users > Active Users > Select the recipient > Assigned License > Edit).

Make sure that mail flow settings and MX records are correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are set up correctly.

For more information and additional tips to fix this issue, see [this article](#).

Original Message Details

Created Date: 1/16/2018 8:17:46 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: apopelka@kla.org
Subject: EPA fact sheets hazardous substances from animal waste

Error Details

Reported error: 550 5.4.1 [apopelka@kla.org]: Recipient address rejected: Access denied
[DM3NAM05FT052.eop-nam05.prod.protection.outlook.com]
DSN generated by: CY4PR09MB1511.namprd09.prod.outlook.com

Remote server: DM3NAM05FT052.mail.protection.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	1/16/2018 8:17:46 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	mapi
2	1/16/2018 8:17:46 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1511.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA

Original Message Headers

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version; bh=X7FGGCgmObVQxWaYopIDYWGtYLvcqLrcIzaMwFge/v8=;

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Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by CY4PR09MB1511.namprd09.prod.outlook.com (10.173.191.145) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Tue, 16 Jan 2018 20:17:46 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id 15.20.0407.012; Tue, 16 Jan 2018 20:17:46 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>

CC: "Sands, Jeffrey" <sands.jeffrey@epa.gov>, "Gordon, Stephen" <gordon.stephen@epa.gov>, "Subramanian, Hema" <Subramanian.Hema@epa.gov>

Subject: EPA fact sheets hazardous substances from animal waste

Thread-Topic: EPA fact sheets hazardous substances from animal waste

Thread-Index: AdOPBTFjqVjIwTpgSN6lu3P82tdF+A==

Date: Tue, 16 Jan 2018 20:17:46 +0000

Message-ID: <CY4PR09MB1509B14AD1B210EA8290681796EA0@CY4PR09MB1509.namprd09.prod.outlook.com>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach: yes

X-MS-TNEF-Correlator:

authentication-results: spf=none (sender IP is) smtp.mailfrom=Bennett.Tate@epa.gov;

x-originating-ip: [161.80.87.199]

x-ms-publictraffictype: Email

x-microsoft-exchange-diagnostics: 1;CY4PR09MB1511;7:ML6BwEfIRVe8DuVFW+OAXwQTPfRKCKZeBLExKCpGy6Z/djsmrMnS4G3eNnVIUNark9BGLw+qW303SidwCbJ81kGuNtscK8xiy6/5Nq18EtqnW82EYcNH42OOf3ZP1L/t5yb31qAF4biq7F2s/OL/Bu/PwexQVC9f7vIKJ/EB56Ek5zcvbuF4e3X1NwxiSg/W+SvLRjFk6DiE/PfEoWX5ahMBU3CpYXnWKhIXuUk6/bMT3mhrmm6B1UVGc gXy+rDG

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received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)
z-microsoft-antispam-message-info:
THxLXRwgqNHar73tqNEk2D7DVEF65nrAUhFQa2dQOkY9ZaMJep/I2IR3unenlMKHizUUJ228+cOGqlHLnwE+rg==
spamdiagnosticoutput: 1:99
spamdiagnosticmetadata: NSPM
Content-Type: multipart/mixed;
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X-MS-Exchange-CrossTenant-Network-Message-Id: 31726c22-6d11-4db0-86c0-08d55d1e351e
X-MS-Exchange-CrossTenant-originalarrivaltime: 16 Jan 2018 20:17:46.1263
 (UTC)
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X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1511

Message

From: Letendre, Daisy [letendre.daisy@epa.gov]
Sent: 7/25/2017 8:51:10 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]
CC: Hupp, Millan [hupp.millan@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Greenwalt, Sarah [greenwalt.sarah@epa.gov]; Cory, Preston (Katherine) [Cory.Preston@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Morris, Madeline [morris.madeline@epa.gov]; McMurray, Forrest [mcmurray.forrest@epa.gov]; Chmielewski, Kevin [chmielewski.kevin@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]
Subject: RE: Binder Prep for Oklahoma- Due NOON tomorrow
Attachments: Oklahoma July 26-28 Talking Points.docx

Updated – as it pertains to wildfires he just needs the background in case it comes up. It's something that the farmers and cattlemen out in the panhandle have been dealing with this spring so mainly for situational awareness.

From: Bowman, Liz
Sent: Tuesday, July 25, 2017 4:20 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>
Cc: Hupp, Millan <hupp.millan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Morris, Madeline <morris.madeline@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Chmielewski, Kevin <chmielewski.kevin@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Subject: RE: Binder Prep for Oklahoma- Due NOON tomorrow

Daisy, I looked at these and the background is good, but can you provide a few "talking points" (ie why this matters) on the methane, regional haze and wildfires? They just seem to be more background information that talkers. Good to have, but just a few tolines up top would be helpful. Thanks -- Liz

From: Bennett, Tate
Sent: Tuesday, July 25, 2017 12:17 PM
To: Letendre, Daisy <letendre.daisy@epa.gov>
Cc: Hupp, Millan <hupp.millan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Morris, Madeline <morris.madeline@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Chmielewski, Kevin <chmielewski.kevin@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Binder Prep for Oklahoma- Due NOON tomorrow

Thanks! As long as this is done by COB, we're good.

Sent from my iPhone

On Jul 25, 2017, at 11:48 AM, Letendre, Daisy <letendre.daisy@epa.gov> wrote:

TPs attached – Liz FYI the WOTUS topline are the same as last week and RFS is a copy/paste from what y'all have been using previously I don't have anything further to add there at the moment.

From: Letendre, Daisy
Sent: Tuesday, July 25, 2017 10:42 AM
To: Hupp, Millan <hupp.millan@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Graham, Amy

<graham.amy@epa.gov>; Morris, Madeline <morris.madeline@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Chmielewski, Kevin <chmielewski.kevin@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>
Subject: Re: Binder Prep for Oklahoma- Due NOON tomorrow

Liz - Im going to send you the full sheet of policy top lines for the issues to review. I'll have that to you by 11:15

Sent from my iPhone

On Jul 24, 2017, at 7:29 PM, Hupp, Millan <hupp.millan@epa.gov> wrote:

Forrest, please also add attendees for the Tulsa chamber round table. We need a run of show and suggested talking points for that one as well.

Sent from my iPhone

On Jul 24, 2017, at 6:14 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hi there-

I have tapped most of you all with responsibilities already, but by **noon** tomorrow I'd like to have:

- 1) Separate line by line schedules for each day this week (Preston or I will add event specific info- similar to Utah week)
(Maddy/Tate/Preston)
- 2) Policy Talking Points (both on the below topics and for Oklahoma on WOTUS specifically) **(Daisy/Sarah)**
 - a. **WOTUS General (Sarah)**
 - b. **WOTUS Oklahoma Specific (Sarah/ Preston can you send her any federalism letters from OK electeds?)**
 - c. **CPP (co-ops will mention)**
 - d. **Methane Livestock**
 - e. **Regional Haze * sorry Daisy- just added that one**
 - f. **Wild fires**
- 3) Press plans for each day and talking point long cards.
(Amy/Lincoln)

Feel free to add any topics I might have overlooked but these are from OK Farm Bureau/ Co-ops.

Forrest will print and makes sure these are tabbed and delivered in a manner similar to last week's binder. Look for a similar e-mail from me on Colorado binder prep in the coming days.

Thanks all!

Tate

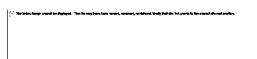
<Oklahoma July 26-28 Talking Points.docx>

Delivery Report

From: postmaster@tcfa.org [postmaster@tcfa.org]
Sent: 1/17/2018 7:29:26 PM
To: jwinegarner@tcfa.org
Subject: Undeliverable: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Attachments: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Your message

To: Bennett, Tate
Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Sent: 1/17/2018 7:29:21 PM



Your message to jwinegarner@tcfa.org couldn't be delivered.

jwinegarner wasn't found at tcfa.org.

Bennett.Tate
Action Required

Office 365

jwinegarner
Recipient

Unknown To address

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 1/17/2018 7:29:21 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: jwinegarner@tcfa.org
Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient jwinegarner@tcfa.org not found by SMTP address lookup
DSN generated by: DM3PR13MB0765.namprd13.prod.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	1/17/2018 7:29:22 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	map

2	1/17/2018 7:29:22 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1448.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS
3	1/17/2018 7:29:24 PM	gcc01-dm2- obe.outbound.protection.outlook.com	BL2NAM02FT008.mail.protection.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS
4	1/17/2018 7:29:24 PM	BL2NAM02FT008.eop- nam02.prod.protection.outlook.com	CY1PR13CA0084.outlook.office365.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS
5	1/17/2018 7:29:25 PM	CY1PR13CA0084.namprd13.prod.outlook.com	DM3PR13MB0765.namprd13.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RS

Original Message Headers

Received: from CY1PR13CA0084.namprd13.prod.outlook.com
 (2a01:111:e400:c42c::52) by DM3PR13MB0765.namprd13.prod.outlook.com
 (2a01:111:e400:5ab2::23) with Microsoft SMTP Server (version=TLS1_2,
 cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.428.9; Wed, 17
 Jan 2018 19:29:25 +0000

Received: from BL2NAM02FT008.eop-nam02.prod.protection.outlook.com
 (2a01:111:f400:7e46::201) by CY1PR13CA0084.outlook.office365.com
 (2a01:111:e400:c42c::52) with Microsoft SMTP Server (version=TLS1_2,
 cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384) id 15.20.428.9 via Frontend
 Transport; Wed, 17 Jan 2018 19:29:24 +0000

Authentication-Results: spf=pass (sender IP is 23.103.201.128)
 smtp.mailfrom=epa.gov; tcf=org; dkim=pass (signature was verified)
 header.d=usepa.onmicrosoft.com; tcf=org; dmarc=permaerror action=none
 header.from=epa.gov;

Received-SPF: Pass (protection.outlook.com: domain of epa.gov designates
 23.103.201.128 as permitted sender) receiver=protection.outlook.com;
 client-ip=23.103.201.128; helo=gcc01-dm2-obe.outbound.protection.outlook.com;

Received: from gcc01-dm2-obe.outbound.protection.outlook.com (23.103.201.128)
 by BL2NAM02FT008.mail.protection.outlook.com (10.152.76.162) with Microsoft
 SMTP Server (version=TLS1_2,
 cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P384) id 15.20.428.12 via
 Frontend Transport; Wed, 17 Jan 2018 19:29:24 +0000

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;
 s=selector1-epa-gov;
 h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
 bh=+jIb//Ya8xKr2c6qzGh9KF3hImcbKwU13LY70LC0AY=;

b=X38f+KYkn5rYp6kR0P0K04tNWFclE++huzlXg4zlw+CizjD9QuAx7xWv5ZlV8lFhE5tAl25G4cMnggkMQexFZht
 CMG84dVTP4tKxK9ueSqUf44N02/bqPOp7ELZfydAG9yhLAeinlZ+LxSnIX+r8HLdiH+mhXd762bneQhqXhOw=

Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by
 CY4PR09MB1448.namprd09.prod.outlook.com (10.173.191.18) with Microsoft SMTP
 Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
 15.20.407.7; Wed, 17 Jan 2018 19:29:22 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by
 CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
 15.20.0407.012; Wed, 17 Jan 2018 19:29:22 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Thread-Topic: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM
EASTERN
Thread-Index: AdOPyVa+mYWK2DbCPCeEFMi5JBu8Nw==
Importance: high
X-Priority: 1
Date: Wed, 17 Jan 2018 19:29:21 +0000
Message-ID:
<CY4PR09MB1509EB8DE7D0E3E440A4DAE496E90@CY4PR09MB1509.namprd09.prod.outlook.com>
Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
Authentication-Results-Original: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;
x-originating-ip: [161.80.87.199]
x-ms-publictraffictype: Email
X-Microsoft-Exchange-Diagnostics-untrusted:
1;CY4PR09MB1448;7:AQOfUmArdggNlVW6NPYrltGNzdotkYipIGQcldcCT7xPVzqk8bzzxZF0HUdrSzINaRCLdHj
NqBTQ/Qc0mwTKu+n/IQliYtWTMz1Pwvz2JOWmJnWhsTP5PldYwmY7HCxobBIaVRhAf71T3wBCOzOiTw67znQM6L3k
IQm8c6Pm6EmcxBify3lq4NUspM/cS+UyLHavh7Y2hYP7dNyAzmmWIYuaRmSpOPOfltH4Y5uXnlyJ5h4wAFJ5dGvvN
Wg4FE/t
X-MS-Office365-Filtering-Correlation-Id: 1b39a00c-98a9-4918-15bd-08d55de09de1
X-Microsoft-Antispam-Untrusted:
UriScan:;ECL:0;PCL:0;RULEID:(7020095)(4652020)(5600026)(4604075)(3008032)(2017052603307)(
7153060)(7193020);SPVR:CY4PR09MB1448;
X-MS-TrafficTypeDiagnostic: CY4PR09MB1448:|DM3PR13MB0765:
x-ld-processed: 88b378b3-6748-4867-acf9-76aachbeca6a7,ExtAddr
x-microsoft-antispam-prvs:
<CY4PR09MB14488CEDE56440836037E20796E90@CY4PR09MB1448.namprd09.prod.outlook.com>
x-exchange-antispam-report-test:
UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(22942507469499
2);
x-exchange-antispam-report-cfa-test:
BCL:0;PCL:0;RULEID:(6040470)(2401047)(8121501046)(5005006)(3002001)(93006095)(93001095)(3
231023)(944501161)(10201501046)(6041268)(20161123562045)(20161123564045)(201703131423095)
(201702281528075)(20161123555045)(201703061421075)(201703061406153)(20161123558120)(20161
123560045)(6072148)(201708071742011);SRVR:CY4PR09MB1448;BCL:0;PCL:0;RULEID:(100000803101)
(100110400095);SRVR:CY4PR09MB1448;
x-forefront-prvs: 0555EC8317
X-Forefront-Antispam-Report-Untrusted:
SFV:NSPM;SFS:(10019020)(376002)(396003)(39380400002)(346002)(39860400002)(366004)(199004)
(189003)(54896002)(3846002)(6306002)(6116002)(55016002)(790700001)(478600001)(39060400002
) (8666007)(72206003)(6436002)(6862004)(105586002)(106356001)(7336002)(236005)(14454004)(5
3936002)(7276002)(7416002)(2906002)(66066001)(9686003)(77096007)(97736004)(33656002)(8656
006)(7366002)(95286004)(7736002)(74316002)(606006)(7406005)(316002)(68736007)(102836004)(
6200100001)(7696005)(6506007)(81156014)(2900100001)(59450400001)(8676002)(81686011)(89360
02)(26005)(65686004)(3280700002)(81166006)(3660700001)(5660300001)(25786009)(86362001)(21
7873001);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR09MB1448;H:CY4PR09MB1509.namprd09.prod.outlook.
com;FPR:;SPF:None;PTR:InfoNoRecords;A:1;MX:1;LANG:en;
received-spf: None (protection.outlook.com: epa.gov does not designate

permitted sender hosts)

X-Microsoft-Antispam-Message-Info-Original:
bqtJUJPR2NvXeHUIoOLoz2LqhalOKVWBdTQldmrqWNpIunzhQus2dByzgYIQdl6YY+2D8pn2Feg0t6/NEwSj8tg==

spamdiagnosticoutput: 1:99

spamdiagnosticmetadata: NSPM

Content-Type: multipart/alternative;
boundary="___000___CY4PR09MB1509EB8DE7D0E3B440A4DAE496E90CY4PR09MB1509namp___"

MIME-Version: 1.0

X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1448

Return-Path: Bennett.Tate@epa.gov

X-EOFAtributedMessage: 0

X-EOPTenantAttributedMessage: 76c117d3-2c54-4215-8328-115d725d164f:0

X-MS-Exchange-Transport-CrossTenantHeadersStripped: BL2NAM02FT008.eop-
nam02.prod.protection.outlook.com

X-MS-Exchange-Transport-CrossTenantHeadersPromoted: BL2NAM02FT008.eop-
nam02.prod.protection.outlook.com

X-Forefront-Antispam-Report: CIP:23.103.201.128;IPV:NLI;CTRY:;EFV:NLI;

X-Microsoft-Exchange-Diagnostics:
1;BL2NAM02FT008;1;gRrY2JKCHJ/U1RDJON/1510nhRkWU1NzumpPNlgOYj5DEu+t/OKdN2mLis2clYBL4GR3eGk
X5U+cflghv/RdhozQk8izsetu+pQD3nrpHjI9UZ5UKYcjSuRoVWAtTS7j

X-Microsoft-Antispam:
UriScan:;BCL:0;PCL:0;RULEID:(7020095)(5600026)(4604075)(4605076)(1401041)(1405041)
(1407041)(121220051038)(121220052038)(121220054038)(71702078)(7193020);SRVR:DM3PR13MB0765
;

X-Microsoft-Exchange-Diagnostics:
1;DM3PR13MB0765;3;cysJfHEL5hXBl4bzyG7tX1LjL6mnSJTh+rtk4KKMIYgbzEqtFo6zlmIUy88lvKcV
0+ipdxuvUfz5lg63DRsVui3MEgDVOgr2/d8FYV/MQF3mphpRbxUEfUvg+iiJ16mmrkEC178hDJ9Pe2Cah0tcc7dQc
esQXJwlie+d9gum0npXECihpv0sFMe6s/GppK2q0uG9nPGF9qfgpTCS2zlxviSFJEMtC73B0EZyRRtoU+MkZArwvZ
KyKFWjhPqBMqDOeerKnmYglYd2rz9BM03py9ErU5cMxa4RNE8jDhxYX+UHVFRsEIWa7gcCn+J9cVpO6XCHUOXkuq8
lwmnDtsqpxw==;25;H4ivERQvw+vspHxho5lpOv44zd2l5p+qwfMg+15IRF6DftRIY1UbLxEzAVuDY//DFzgCaz17
gWd4HVL9yyv1Fn3zQckZs9Gaext+rjp3Enx5p38aQhdNUvP9HQ6MA7xydA8JeDTwxTlgD1FSkfelu8wpPx1kpNvv2
A/EPu9fCQFYmldAP3r9bewAlmPLS2zuJWO3Q78+4hQ2MqR3iir6+9sSgauua/FxLrZfDyEq5NhU9kbt6iwiKJV
1TjGffumtyl1e/r/C4mTnTxQM4/gRHKxKfdM12wTaGFly02pALLHrEfdMsmYK2xJHpyQm9y2tcTKjd2ogj47d0mCX
bkQ==

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 1/16/2018 8:17:51 PM
To: wacattle@k.com
Subject: Undeliverable: EPA fact sheets hazardous substances from animal waste
Attachments: EPA fact sheets hazardous substances from animal waste

Your message

To: Bennett, Tate
CC: Sands, Jeffrey; Gordon, Stephen; Subramanian, Hema
Subject: EPA fact sheets hazardous substances from animal waste
Sent: 1/16/2018 8:17:46 PM

Delivery has failed to these recipients or groups:

wacattle@k.com (wacattle@k.com)

Your message couldn't be delivered. The Domain Name System (DNS) reported that the recipient's domain does not exist.

Contact the recipient by some other means (by phone, for example) and ask them to tell their email admin that it appears that their domain isn't properly registered at their domain registrar. Give them the error details shown below. It's likely that the recipient's email admin is the only one who can fix this problem.

For more information and tips to fix this issue see this article:
<https://go.microsoft.com/fwlink/?LinkId=389361>.

Diagnostic information for administrators:

Generating server: CY4PR09MB1511.namprd09.prod.outlook.com

wacattle@k.com

Remote Server returned '550 5.4.310 DNS domain k.com does not exist [Message=InfoDomainNonexistent] [LastAttemptedServerName=k.com] [DM2GCC01FT005.eop-gcc01.prod.protection.outlook.com]'

Original message headers:

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;
s=selector1-epa-gov;
h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
bh=X7FGGCgmObVQxWaYop1DYWGtYLVcqLrc1zaMwFge/v8=;

b=1740suMpl5tu+JEBnLMlSWwiNJ0IEoblVRfMIECPnakjtQvynw6UogOVQajeBJqeMxz9sngw0cuBX0Npjpp0cXeaNb+TJWicv92Nal6/ub4bKkxj9zKbGHizPpRKKuTVhtAjSh/qLwz5QAnRe2UM77O8rnzXSMJ9wiPOSStqWPs=
Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by
CY4PR09MB1511.namprd09.prod.outlook.com (10.173.191.145) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.407.7; Tue, 16 Jan 2018 20:17:46 +0000
Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by
CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
15.20.0407.012; Tue, 16 Jan 2018 20:17:46 +0000
From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
CC: "Sands, Jeffrey" <sands.jeffrey@epa.gov>, "Gordon, Stephen"
<gordon.stephen@epa.gov>, "Subramanian, Hema" <Subramanian.Hema@epa.gov>
Subject: EPA fact sheets hazardous substances from animal waste
Thread-Topic: EPA fact sheets hazardous substances from animal waste
Thread-Index: AdOPBTPjqVj1wTpgSN6lu3P82tdF+A==
Date: Tue, 16 Jan 2018 20:17:46 +0000
Message-ID:
<CY4PR09MB1509B14AD1B210EA8290681796EA0@CY4PR09MB1509.namprd09.prod.outlook.com>
Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach: yes
X-MS-TNEF-Correlator:
authentication-results: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;
x-originating-ip: [161.80.87.199]
x-ms-publictraffictype: Email
x-microsoft-exchange-diagnostics:
1;CY4PR09MB1511;7;ML6BwEflRvE8DuVFW+OAXwQIPfRKCKZeBLEXKCpGy6Z/djsmrMnS4G3eNmVUNark9BGLw+q
W303SidwCbj8lkGuNtscK8xiy6/5Nql8EtqnW8ZEYcNH42OOOf3ZP1L/t5yb3lqAF4biq7F2s/OL/Pu/PwexQVC9f
7vlKJ/EB56Ek5zcvbuF4e3XlNzxiSg/W+SvLRjFk6DiE/PfEoWX5ahMBU3CpYXnWKhIXuUk6/bMT3mhrmn6B1UVGc
gXy+rDG
z-ms-office365-filtering-correlation-id: 31726c22-6d11-4db0-86c0-08d55d1e351e
x-microsoft-antispam:
UriScan:;BCL:0;PCL:0;RULEID:(7020095)(4652020)(5600026)(4604075)(3008032)(2017052603307)(
7153060)(49563074)(7193020);SPVR:CY4PR09MB1511;
x-ms-trafficdiagnostic: CY4PR09MB1511;
x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr
z-microsoft-antispam-prvs:
<CY4PR09MB15113C5B4E7F2DAC95EA9F2796EA0@CY4PR09MB1511.namprd09.prod.outlook.com>
x-exchange-antispam-report-test:
UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(22942507469499
2);
x-exchange-antispam-report-cfa-test:
BCL:0;PCL:0;RULEID:(102415395)(6040470)(2401047)(8121501046)(5005006)(3002001)(93006095)(
93001095)(3231023)(944501161)(10201501046)(6041268)(20161123560045)(20161123562045)(20161
123564045)(201703131423095)(201702281528075)(20161123555045)(201703061421075)(20170306140
6153)(20161123558120)(6072148)(201708071742011);SRVR:CY4PR09MB1511;BCL:0;PCL:0;RULEID:(10
0000803101)(100110400095);SRVR:CY4PR09MB1511;
x-forefront-prvs: 0554B1F54F
x-forefront-antispam-report:
SFV:NSPM;SFS:(10019020)(1496009)(346002)(366004)(396003)(39860400002)(39380400002)(376002
) (189003)(199004)(7276002)(7736002)(7406005)(7336002)(7416002)(6116002)(5660300001)(74316
002)(790700001)(3846002)(99936001)(7366002)(39060400002)(6862004)(99286004)(6200100001)(1
06356001)(8936002)(25786009)(8676002)(81156014)(81166006)(68736007)(66066001)(33656002)(4
326008)(97736004)(105586002)(8666007)(9686003)(236005)(14454004)(55016002)(6436002)(47430
02)(86362001)(606006)(3280700002)(59450400001)(3660700001)(2900100001)(7696005)(53936002)
(2906002)(102836004)(76576003)(316002)(478600001)(6506007)(72206003)(77096006)(54906003)(
6306002)(54896002)(8656006)(26005);DIR:OUT;SFP:1102;SCL:1;SPVR:CY4PR09MB1511;H:CY4PR09MB1
509.namprd09.prod.outlook.com;FPR:;SPF:None;PTR:InfoNoRecords;MX:1;A:1;LANG:en;
received-spf: None (protection.outlook.com: epa.gov does not designate
permitted sender hosts)

x-microsoft-antispam-message-info:
THxlXRwgqNHar73tqNEk2D7DVEF65nrAUhFQa2dQOkY9ZaMJep/I2IR3unenlMXHizUUJ228+oOGqlHLnWE+rg==
spamdiagnosticoutput: 1:99
spamdiagnosticmetadata: NSPM
Content-Type: multipart/mixed;
 boundary="_005_CY4PR09MB1509B14AD1B210EA8290681796EA0CY4PR09MB1509nanp_"
MIME-Version: 1.0
X-OriginatorOrg: epa.gov
X-MS-Exchange-CrossTenant-Network-Message-Id: 31726c22-6d11-4db0-86c0-08d55d1e351e
X-MS-Exchange-CrossTenant-originalarrivaltime: 16 Jan 2018 20:17:46.1263
 (UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1511

Message

From: Sands, Jeffrey [sands.jeffrey@epa.gov]
Sent: 11/28/2017 2:34:31 PM
To: Fotouhi, David [Fotouhi.David@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Brown, Byron [brown.byron@epa.gov]
CC: Bennett, Tate [Bennett.Tate@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Subject: RE: For Review: CIRCLA Release

Thanks. I would have nothing further to add to David's edits.

From: Fotouhi, David
Sent: Tuesday, November 28, 2017 8:44 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: For Review: CIRCLA Release

Attorney Client / Ex. 5

David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Bowman, Liz
Sent: Monday, November 27, 2017 6:43 PM
To: Fotouhi, David <Fotouhi.David@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: For Review: CIRCLA Release

Can you all review this and make any necessary edits? I know this happened last week, but a press release didn't go out b/c everyone was traveling – so we should do one, if this is worth promoting...Thank you – Liz

DC Circuit Court Grants Trump EPA Request to Extend Deadline for Farmers to Report Emissions from Animal Waste

(WASHINGTON) — On Wednesday, November 22, 2017, in response to a request from the Trump administration EPA, the DC Circuit Court of Appeals extended the deadline for farmers to report air releases of hazardous substances from animal waste at farms until January 22, 2018.

"EPA is committed to exploring options to reduce unnecessary or duplicative regulatory burdens for America's farmers and ranchers – people committed to conserving the land and the environment," said **EPA Administrator Scott Pruitt**.

Under the Trump Administration, EPA sought this deadline extension to allow more time to provide compliance assistance to farmers and update guidance. The extension also provides farmers with more time to estimate emission levels and to prepare their written reports. With the Court's decision, farmers are not required to report emissions from animal waste until the Court issues its mandate, expected no sooner than the new deadline of January 22, 2018.

Background:

On April 11, 2017, the DC Circuit Court vacated the EPA rule finalized by on December 18, 2008, requiring farms to report air releases from animal waste.

In response to a request from the Trump Administration EPA, the DC Circuit Court extended the date by which farms must begin reporting these releases to November 15, 2017. In response to a second request from the current administration EPA, the DC Circuit Court further extended the date by which farms must begin reporting these releases to January 22, 2018.

The DC Circuit Court is now expected to issue a mandate on January 22, 2018 that will require farms to report air releases of hazardous substances from animal wastes equal to or greater than their reportable quantities within any 24-hour period to the National Response Center and follow-up with a written report to their EPA regional office.

EPA has prepared guidance that includes links to resources that farmers can use to calculate emissions tailored to specific species of livestock.

To view EPA's guidance and Frequently Asked Questions on reporting air emissions from animal waste: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>.

###

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Delivery Report

From: postmaster@mainefarmbureau.com [postmaster@mainefarmbureau.com]
Sent: 1/17/2018 7:29:26 PM
To: asmart@mainefarmbureau.com
Subject: Undeliverable: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Attachments: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Your message

To: Bennett, Tate
Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Sent: 1/17/2018 7:29:21 PM



Your message to asmart@mainefarmbureau.com couldn't be delivered.

asmart wasn't found at mainefarmbureau.com.

Bennett.Tate	Office 365	asmart
Action Required		Recipient



Unknown To address

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.1.10

This error occurs because the sender sent a message to an email address hosted by Office 365 but the address is incorrect or doesn't exist at the destination domain. The error is reported by the recipient domain's email server, but most often it must be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

The email address exists and is correct - Confirm that the recipient address exists, is correct, and is accepting messages.

Synchronize your directories - If you have a hybrid environment and are using directory synchronization make sure the recipient's email address is synced correctly in both Office 365 and in your on-premises directory.

Errant forwarding rule - Check for forwarding rules that aren't behaving as expected. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Inbox Rules feature.

Recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license (Users > Active Users > select the recipient > Assigned License > Edit).

Mail flow settings and MX records are not correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are configured correctly.

For more information and additional tips to fix this issue, see [Fix email delivery issues for error code 5.1.10 in Office 365](#).

Original Message Details

Created Date: 1/17/2018 7:29:21 PM
Sender Address: Bennett.Tate@epa.gov
Recipient Address: asmart@mainefarmbureau.com
Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Error Details

Reported error: 550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient asmart@mainefarmbureau.com not found by SMTP address lookup
DSN generated by: CO1PR18MB0760.namprd18.prod.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	1/17/2018 7:29:22 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	mapi

2	1/17/2018 7:29:22 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1448.namprd09.prod.outlook.com	Microsoft SMTP Serv cipher=TLS_ECDHE_F
3	1/17/2018 7:29:24 PM	gcc01-dm2- obe.outbound.protection.outlook.com	SN1NAM02FT018.mail.protection.outlook.com	Microsoft SMTP Serv cipher=TLS_ECDHE_F
4	1/17/2018 7:29:24 PM	SN1NAM02FT018.eop- nam02.prod.protection.outlook.com	BN6PR1801CA0018.outlook.office365.com	Microsoft SMTP Serv cipher=TLS_ECDHE_F
5	1/17/2018 7:29:25 PM	BN6PR1801CA0018.namprd18.prod.outlook.com	CO1PR18MB0760.namprd18.prod.outlook.com	Microsoft SMTP Serv cipher=TLS_ECDHE_F

Original Message Headers

Received: from BN6PR1801CA0018.namprd18.prod.outlook.com

(2603:10b6:405:5f::31) by CO1PR18MB0760.namprd18.prod.outlook.com
(2a01:111:e400:7b6b::20) with Microsoft SMTP Server (version=TLS1_2,
cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.428.17; Wed, 17
Jan 2018 19:29:25 +0000

Received: from SN1NAM02FT018.eop-nam02.prod.protection.outlook.com

(2a01:111:f400:7e44::204) by BN6PR1801CA0018.outlook.office365.com
(2603:10b6:405:5f::31) with Microsoft SMTP Server (version=TLS1_2,
cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384) id 15.20.407.7 via Frontend
Transport; Wed, 17 Jan 2018 19:29:24 +0000

Authentication-Results: spf=pass (sender IP is 23.103.201.125)

smtp.mailfrom=epa.gov; mainefarmbureau.com; dkim=pass (signature was
verified) header.d=usepa.onmicrosoft.com;mainefarmbureau.com; dmarc=pererror
action=none header.from=epa.gov;

Received-SPF: Pass (protection.outlook.com: domain of epa.gov designates

23.103.201.125 as permitted sender) receiver=protection.outlook.com;
client-ip=23.103.201.125; helo=gcc01-dm2-obe.outbound.protection.outlook.com;

Received: from gcc01-dm2-obe.outbound.protection.outlook.com (23.103.201.125)

by SN1NAM02FT018.mail.protection.outlook.com (10.152.72.122) with Microsoft
SMTP Server (version=TLS1_2,
cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P384) id 15.20.428.12 via
Frontend Transport; Wed, 17 Jan 2018 19:29:24 +0000

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com;

s=selector1-epa-gov;
h=From:Date:Subject:Message-ID:Content-Type:MIME-Version;
bh=+jIb//Ya8xKr2c6qzGh9KF3hImcbKwU13LY70LC0AY=;

b=X38f+KYkn5rYp6kR0P0K04tNWFclE++huzlXg4zlw+CizjD9QuAx7xWr5ZlV8lFhE5tAl25G4cMnggkMQexFZht
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Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by

CY4PR09MB1448.namprd09.prod.outlook.com (10.173.191.18) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.407.7; Wed, 17 Jan 2018 19:29:22 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by

CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
15.20.0407.012; Wed, 17 Jan 2018 19:29:22 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Thread-Topic: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM
EASTERN
Thread-Index: AdOPyVa+mYWK2DbCPCeEFMi5JBu8Nw==
Importance: high
X-Priority: 1
Date: Wed, 17 Jan 2018 19:29:21 +0000
Message-ID:
<CY4PR09MB1509EB8DE7D0E3E440A4DAE496E90@CY4PR09MB1509.namprd09.prod.outlook.com>
Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
Authentication-Results-Original: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;
x-originating-ip: [161.80.87.199]
x-ms-publictraffictype: Email
X-Microsoft-Exchange-Diagnostics-untrusted:
1;CY4PR09MB1448;7:AQOfUmArdggNlVW6NPyrItGNzdotkYipIGQcldcCT7xPVzqk8bzzxZF0HUdrSzINaRCLdHj
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Wg4FE/t
X-MS-Office365-Filtering-Correlation-Id: cad64d9b-f803-4318-f45f-08d55de09dd2
X-Microsoft-Antispam-Untrusted:
UriScan:;ECL:0;PCL:0;RULEID:(7020095)(4652020)(5600026)(4604075)(3008032)(2017052603307)(
7153060)(7193020);SPVR:CY4PR09MB1448;
X-MS-TrafficTypeDiagnostic: CY4PR09MB1448:|CO1PR18MB0760:
x-ld-processed: 88b378b3-6748-4867-acf9-76aachbeca6a7,ExtAddr
x-microsoft-antispam-prvs:
<CY4PR09MB14488CEDE56440836037E20796E90@CY4PR09MB1448.namprd09.prod.outlook.com>
x-exchange-antispam-report-test:
UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(22942507469499
2);
x-exchange-antispam-report-cfa-test:
BCL:0;PCL:0;RULEID:(6040470)(2401047)(8121501046)(5005006)(3002001)(93006095)(93001095)(3
231023)(944501161)(10201501046)(6041268)(20161123562045)(20161123564045)(201703131423095)
(201702281528075)(20161123555045)(201703061421075)(201703061406153)(20161123558120)(20161
123560045)(6072148)(201708071742011);SRVR:CY4PR09MB1448;BCL:0;PCL:0;RULEID:(100000803101)
(100110400095);SRVR:CY4PR09MB1448;
x-forefront-prvs: 0555EC8317
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SFV:NSPM;SFS:(10019020)(376002)(396003)(39380400002)(346002)(39860400002)(366004)(199004)
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6200100001)(7696005)(6506007)(81156014)(2900100001)(59450400001)(8676002)(81686011)(89360
02)(26005)(65686004)(3280700002)(81166006)(3660700001)(5660300001)(25786009)(86362001)(21
7873001);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR09MB1448;H:CY4PR09MB1509.namprd09.prod.outlook.
com;FPR:;SPF:None;PTR:InfoNoRecords;A:1;MX:1;LANG:en;
received-spf: None (protection.outlook.com: epa.gov does not designate

permitted sender hosts)

X-Microsoft-Antispam-Message-Info-Original:
bqtJUJPR2NvXeHUIoOLoz2LqhalOKVWBdTQldmrqWNpIunzhQus2dByzgYIQdl6YY+2D8pn2Feg0t6/NEwSj8tg==
spamdiagnosticoutput: 1:99
spamdiagnosticmetadata: NSPM
Content-Type: multipart/alternative;
 boundary="___000___CY4PR09MB1509EB8DE7D0E3B440A4DAE496E90CY4PR09MB1509namp___"
MIME-Version: 1.0
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1448
Return-Path: Bennett.Tate@epa.gov
X-EOFAattributedMessage: 0
X-EOPTenantAttributedMessage: 1cc18735-28cb-472a-8176-712b9a056b84:0
X-MS-Exchange-Transport-CrossTenantHeadersStripped: SN1NAM02FT018.eop-
nam02.prod.protection.outlook.com
X-MS-Exchange-Transport-CrossTenantHeadersPromoted: SN1NAM02FT018.eop-
nam02.prod.protection.outlook.com
X-Forefront-Antispam-Report: CIP:23.103.201.125;IPV:NLI;CTRY:;EFV:NLI;
X-Microsoft-Exchange-Diagnostics:
1;SN1NAM02FT018;1;xWStvzySp4OaNysNUCD11aDY8nPTGf4Ia7Bk92A0pkoF+Mar+6PsvjgUIWsu9apdnAShGPG
wZ6SgMpng6MQMgow84KLk2rk/3cmWRI2akVzFOQyQO0w3YIAYxonYJern
X-Microsoft-Antispam:
 UriScan:;BCL:0;PCL:0;RULEID:(7020095)(5600026)(4604075)(4605076)(1401041)(1405041)
 (1407041)(121220051038)(121220052038)(121220054038)(71702078)(7193020);SRVR:CO1PR18MB0760
;
X-Microsoft-Exchange-Diagnostics:
 1;CO1PR18MB0760;3;03tATM8ScCdVZov7YFJ+QoNUta7MDts9dDk32zGihWSF3T1y6s645GiFlTLlwXSt
kh5rEJ+jetpP/jnhYEzgvfsFF0T2G5Q5mFeu/Mi5Ws1NIV8vEqni9qk9mtGDHKPI55WGRjN92qVZYKNSgysAWhhCl
mQWMvhVg4asCUenN5Lhpy7YpauX4o5QE2Blr4lxTLQOAXfg8svlNg8IlgLMB/0SFJDaI56bOPDIKWVRHdOjaQlekQ
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cJdI3eRmAc5WbFy23WDF7jxtStY+hbJpDt9uItDVCN31TmQY08IOhakTvnPhZotNLY2dEmtYAcSgMy9mS875EiYMA
29gmhngXPRtGcy3uCNL1sAYsySxLTuotEqVezYp127+0ndFIabDTS4dvvZvOg4QreYHf/LAQmVI+SkQMfpPrBFz87
2DQ==

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 1/19/2018 7:30:23 PM
To: isoly@agricultorpr.org
Subject: Undeliverable: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Attachments: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Your message

To: Bennett, Tate
Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Sent: 1/17/2018 7:29:21 PM

Delivery has failed to these recipients or groups:

isoly@agricultorpr.org (isoly@agricultorpr.org)

Your message wasn't delivered. Despite repeated attempts to deliver your message, the recipient's email system refused to accept a connection from your email system.

Contact the recipient by some other means (by phone, for example) and ask them to tell their email admin that it appears that their email system is refusing connections from your email server. Give them the error details shown below. It's likely that the recipient's email admin is the only one who can fix this problem.

For Email Admins

No connection could be made because the target computer actively refused it. This usually results from trying to connect to a service that is inactive on the remote host - that is, one with no server application running. For more information and tips to fix this issue see this article:

<https://go.microsoft.com/fwlink/?LinkId=389361>

Diagnostic information for administrators:

Generating server: CY4PR09MB1448.namprd09.prod.outlook.com

Receiving server: CY4PR09MB1448.namprd09.prod.outlook.com

isoly@agricultorpr.org

1/19/2018 7:30:23 PM - Server at CY4PR09MB1448.namprd09.prod.outlook.com returned '550 5.4.316 Message expired, connection refused(Socket error code 10061)'

1/19/2018 7:24:44 PM - Server at agricultorpr.org (141.8.225.31) returned '450 4.4.316 Connection refused [Message=Socket error code 10061] [LastAttemptedServerName=agricultorpr.org] [LastAttemptedIP=141.8.225.31:25] [CY1GCC01FT006.eop-gcc01.prod.protection.outlook.com](Socket error code 10061)'

Original message headers:

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version; bh=+jIb//Ya8xKr2c6qxGh9KF3hImcbKmwU13LY70LC0AY=;

b=X3Sf+KYkn5rYp6kR0P0K04tNWFclE++huzlKg4zlw+CiZjD9QuAx7xWr5Zlv8lFhE5tAl25G4cMnggkMQexFZht
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Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by
CY4PR09MB1448.namprd09.prod.outlook.com (10.173.191.18) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.407.7; Wed, 17 Jan 2018 19:29:22 +0000
Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by
CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
15.20.0407.012; Wed, 17 Jan 2018 19:29:22 +0000
From: "Bennett, Tate" <Bennett.Tate@epa.gov>
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Thread-Topic: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM
EASTERN
Thread-Index: AdOPyVa+myWK2DbCRCEEFMi5JBu8Nw==
Importance: high
X-Priority: 1
Date: Wed, 17 Jan 2018 19:29:21 +0000
Message-ID:
<CY4PR09MB1509EB8DE7D0E3B440A4DAE496E90@CY4PR09MB1509.namprd09.prod.outlook.com>
Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach:
X-MS-TNEF-Correlator:
authentication-results: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;
x-originating-ip: [161.80.87.199]
x-ms-publictraffictype: Email
x-microsoft-exchange-diagnostics:
1;CY4PR09MB1448;7:AQOfUmArdggNlVW6NPyrItGNzdotkYipIG2cldeCT7xPVzqk8bzzxZF0HUdrSzINaRCLdHj
NqBT2/Qc0mwtku+n/IQliYtWTMx1Fwvz2JOWmjnWhsTP5PlDYmY7HCxobBIaVRhAf71T3wBCOzoItw67znQM6L3k
IQm8o6Pm6EmcxBify3lq4NUspM/cS+UyLHavh7Y2hYP7dNyAzxmWtYuaRmSpOPoflth4Y5uXnlyJ5h4wAFJ5dGvvN
Wg4FB/t;23:bcXXeDTp1348PR8EvQmtNmVpyjo+bKM6y3k2uMD5Wp0fdGqnpXJJ/cQNQzCJGzmWCGMUu3G1/5gUS
nb2eWA8H0sx2ws/JatnfZsUSwX998+sE42yLltVDlbehak7xbIqTjlcVZQ8YD4IK0zMEDNcQ==
x-ms-office365-filtering-correlation-id: 16b16243-8802-4c31-9bfb-08d55de09c5c
x-microsoft-antispam:
UriScan:;BCL:0;PCL:0;RULEID:(7020095)(4652020)(5600026)(4604075)(3008032)(2017052603307)(
7153060)(7193020);SPVR:CY4PR09MB1448;
X-MS-TrafficTypeDiagnostic: CY4PR09MB1448:|CY4PR09MB1448;
x-ld-processes: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr
x-microsoft-antispam-prvs:
<CY4PR09MB14488CEDE56440836037E20796E90@CY4PR09MB1448.namprd09.prod.outlook.com>
x-exchange-antispam-report-test:
UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(22942507469499
2);
x-exchange-antispam-report-cfa-test:
BCL:0;PCL:0;RULEID:(6040470)(2401047)(8121501046)(5005006)(3002001)(93006095)(93001095)(3
231023)(944501161)(10201501046)(6041268)(20161123562045)(20161123564045)(201703131423095)
(201702281528075)(20161123555045)(201703061421075)(201703061406153)(20161123558120)(20161
123560045)(6072148)(201708071742011);SRVR:CY4PR09MB1448;BCL:0;PCL:0;RULEID:(100000803101)
(100110400095);SRVR:CY4PR09MB1448;
x-forefront-prvs: 0555EC8317
x-forefront-antispam-report:
SFV:NSPM;SFS:(10019020)(376002)(396003)(39380400002)(346002)(39860400002)(366004)(199004)
(189003)(54896002)(3846002)(6306002)(6116002)(55016002)(790700001)(478600001)(39060400002
) (8666007)(72206003)(6436002)(6862004)(105586002)(106356001)(7336002)(236005)(14454004)(5
3936002)(7276002)(7416002)(2906002)(66066001)(9686003)(77096007)(97736004)(33656002)(8656
006)(7366002)(99286004)(7736002)(74316002)(606006)(7406005)(316002)(68736007)(102836004)(

6200100001)(7696005)(6506007)(81156014)(2900100001)(59450400001)(8676002)(81686011)(8936002)(26005)(65686004)(3280700002)(81166006)(3660700001)(5660300001)(25786009)(86362001)(217873001);DIR:OUT;SFP:1102;SCL:1;SPVR:CY4PR09MB1448;H:CY4PR09MB1509.namprd09.prod.outlook.com;FPR;;SPF:None;PTR:InfoNoRecords;A:1;MX:1;LANG:en;received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)
x-microsoft-antispam-message-info:
bqtJUJR2NvXeHUIoOLOz2Lqha1OKVWEdTQldmrqWNpIunzhQus2dByzgYIQdl6YY+2D8pn2Feg0t6/NEwSj8tg==
spamdiagnosticoutput: 1:99
spamdiagnosticmetadata: NSPM
Content-Type: multipart/alternative;
 boundary="___000___CY4PR09MB1509EB8DE7D0E3B440A4DAE496E90CY4PR09MB1509namprd09.prod.outlook.com___"
MIME-Version: 1.0
X-MS-Exchange-CrossTenant-Network-Message-Id: 16b16243-8802-4c31-9bfb-08d55de09c5c
X-MS-Exchange-CrossTenant-originalarrivaltime: 17 Jan 2018 19:29:21.8759
 (UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aachbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1448
X-OriginatorOrg: epa.gov

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 1/17/2018 7:29:24 PM
To: apopelka@kla.org
Subject: Undeliverable: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Attachments: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Your message

To: Bennett, Tate
Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Sent: 1/17/2018 7:29:21 PM



Your message to apopelka@kla.org couldn't be delivered.

apopelka wasn't found at kla.org.

Bennett.Tate	Office 365	apopelka
Action Required		Recipient
		

Unknown To address

How to Fix It

The address might be misspelled or might not exist. Try one or more of the following:

- **Retype the recipient's address, then resend the message** - If you're using Outlook, open this non-delivery report message and click **Send Again** from the menu or ribbon. In Outlook on the web, select this message, and then click the "**To send this message again, click here.**" link located just above the message preview window. In the To or Cc line, delete and then retype the entire recipient's address (ignore any address suggestions). After typing the complete address, click **Send** to resend the message. If you're using an email program other than Outlook or Outlook on the web, follow its standard way for resending a message. Just be sure to delete and retype the recipient's entire address before resending it.
- **Remove the recipient from the recipient Auto-Complete List, then resend the message** - If you're using Outlook or Outlook on the web, follow the steps in the "Remove the recipient from the recipient Auto-Complete List" section of [this article](#). Then resend the message. Be sure to delete and retype the recipient's entire address before clicking **Send**.
- **Contact the recipient by some other means**, (by phone, for example) to confirm you're using the right address. Ask them if they've set up an email forwarding rule that could be forwarding your message to an incorrect address.

If the problem continues, ask the recipient to tell their email admin about the problem, and give them the error (and the name of the server that reported it) shown below. It's likely that only the recipient's email admin can fix this problem.

Was this helpful? [Send feedback to Microsoft.](#)

More Info for Email Admins

Status code: 550 5.4.1

This error occurred because a message was sent to an email address hosted by Office 365, but the address doesn't exist in the receiving organization's Office 365 directory. Directory Based Edge Blocking (DBEB) is enabled for kla.org, and DBEB rejects messages addressed to recipients who don't exist in the receiving organization's Office 365 directory. This error is reported by the recipient domain's email server, but most often it can be fixed by the person who sent the message. If the steps in the **How to Fix It** section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

Check that the email address exists and is correct - Confirm that the recipient address exists in your Office 365 directory, is correct, and is accepting messages.

Synchronize your directories - Make sure directory synchronization is working correctly, and that the recipient's email address exists in both Office 365 and in your on-premises directory.

Check for errant forwarding rules - Check for forwarding rules for the original recipient that might be trying to forward the message to an invalid address. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the Forwarding or Inbox Rules features.

Make sure the recipient has a valid license - Make sure the recipient has an Office 365 license assigned to them. The recipient's email admin can use the Office 365 admin center to assign a license to them (Users > Active Users > Select the recipient > Assigned License > Edit).

Make sure that mail flow settings and MX records are correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are set up correctly.

For more information and additional tips to fix this issue, see [this article](#).

Original Message Details

Created Date:	1/17/2018 7:29:21 PM
Sender Address:	Bennett.Tate@epa.gov
Recipient Address:	apopelka@kla.org
Subject:	EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Error Details

Reported error:	550 5.4.1 [apopelka@kla.org]: Recipient address rejected: Access denied [CO1NAM05FT010.eop-nam05.prod.protection.outlook.com]
DSN generated by:	CY4PR09MB1448.namprd09.prod.outlook.com

Remote server: CO1NAM05FT010.mail.protection.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	1/17/2018 7:29:22 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1509.namprd09.prod.outlook.com	mapi
2	1/17/2018 7:29:22 PM	CY4PR09MB1509.namprd09.prod.outlook.com	CY4PR09MB1448.namprd09.prod.outlook.com	Microsoft SMTP Server cipher=TLS_ECDHE_RSA

Original Message Headers

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version; bh=+jIb//Ya8xKr2c6qxGh9KF3hImcbKmwU13LY70LC0AY=;

b=X3Ssf+KYkn5rYp6kR0P0K04tNWFclE++huzlXg4zlw+CizjD9QuAx7zWr52lv8lFhE5tA125G4cMmggkMQezFZht
CMG84dVTP4tKzX9ueSqUf44N02/bqPOp7EL2fYdAG9yhLAeinlZ+lzSnIX+r8HLdiH+mhXd762bneQhXhOw=

Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by
CY4PR09MB1448.namprd09.prod.outlook.com (10.173.191.18) with Microsoft SMTP
Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id
15.20.407.7; Wed, 17 Jan 2018 19:29:22 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by
CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id
15.20.0407.012; Wed, 17 Jan 2018 19:29:22 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>

Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Thread-Topic: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM
EASTERN

Thread-Index: AdOPyVa+mYWK2DbCRCEEFMi5JBu8Nw==

Importance: high

X-Priority: 1

Date: Wed, 17 Jan 2018 19:29:21 +0000

Message-ID:
<CY4PR09MB1509EB8DE7D0E3B440A4DAE496E90@CY4PR09MB1509.namprd09.prod.outlook.com>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach:

X-MS-TNEF-Correlator:

authentication-results: spf=none (sender IP is)
smtp.mailfrom=Bennett.Tate@epa.gov;

x-originating-ip: [161.80.87.199]

x-ms-publictraffictype: Email

x-microsoft-exchange-diagnostics:
1;CY4PR09MB1448;7:AQOEUmArdggNlVW6NPyrlltGNzdotkYipIGQcldeCT7zFVzqk8bzzx2F0HUdrSzINaRCLdHj
NqETQ/Qc0mwtku+n/IQliYtWTMxlPwvzZJOWmJnWhsTF5PldYwmY7HCxobBlaVRhAf7lT3wBCOzOiTw67znQM6L3k

IQm8o6Pm6EmcxBify3Iq4NUspM/cS+UyLHavh7Y2hYP7dNyAzmmWIYuaRmSpOPofltH4Y5uXnlyJ5h4wAFJ5dGvvN
Wg4FB/t

x-ms-office365-filtering-correlation-id: 16b16243-8802-4c31-9bfb-08d55de09c5c

x-microsoft-antispam:
UriScan:;BCL:0;PCL:0;RULEID:(7020095)(4652020)(5600026)(4604075)(3008032)(2017052603307)(
7153060)(7193020);SRVR:CY4PR09MB1448;

x-ms-trafficdiagnostic: CY4PR09MB1448;

x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr

x-microsoft-antispam-prvs:
<CY4PR09MB14488CEDE56440836037E20796E90@CY4PR09MB1448.namprd09.prod.outlook.com>

x-exchange-antispam-report-test:
UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(22942507469499
2);

x-exchange-antispam-report-cfa-test:
BCL:0;PCL:0;RULEID:(6040470)(2401047)(8121501046)(5005006)(3002001)(93006095)(93001095)(3
231023)(944501161)(10201501046)(6041268)(20161123562045)(20161123564045)(201703131423095)
(201702281528075)(20161123555045)(201703061421075)(201703061406153)(20161123558120)(20161
123560045)(6072148)(201708071742011);SRVR:CY4PR09MB1448;BCL:0;PCL:0;RULEID:(100000803101)
(100110400095);SRVR:CY4PR09MB1448;

x-forefront-prvs: 0555EC8317

x-forefront-antispam-report:
SFV:NSPM;SFS:(10019020)(376002)(396003)(39380400002)(346002)(39860400002)(366004)(199004)
(189003)(54896002)(3846002)(6306002)(6116002)(55016002)(790700001)(478600001)(39060400002
) (8666007)(72206003)(6436002)(6862004)(105586002)(106356001)(7336002)(236005)(14454004)(5
3936002)(7276002)(7416002)(2906002)(66066001)(9686003)(77096007)(97736004)(33656002)(8656
006)(7366002)(99286004)(7736002)(74316002)(606006)(7406005)(316002)(68736007)(102836004)(
6200100001)(7696005)(6506007)(81156014)(2900100001)(59450400001)(8676002)(81686011)(89360
02)(26005)(65686004)(3280700002)(81166006)(3660700001)(5660300001)(25786009)(86362001)(21
7873001);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR09MB1448;H:CY4PR09MB1509.namprd09.prod.outlook.
com;FPR:;SPF:None;PTR:InfoNoRecords;A:1;MX:1;LANG:en;

received-spf: None (protection.outlook.com: epa.gov does not designate
permitted sender hosts)

x-microsoft-antispam-message-info:
bqtJUJR2NvXeHUIcOLox2LqhalOKVWBdTQldmrqWNpIunxhQusZdEyzgYIQdl6YY+2D8pn2Feg0t6/NEwSj8tg==

spamdiagnosticoutput: 1:99

spamdiagnosticmetadata: NSPM

Content-Type: multipart/alternative;
boundary="_000_CY4PR09MB1509EB8DE7D0E3B440A4DAE496E90CY4PR09MB1509nampr_"

MIME-Version: 1.0

X-OriginatorOrg: epa.gov

X-MS-Exchange-CrossTenant-Network-Message-Id: 16b16243-8802-4c31-9bfb-08d55de09c5c

X-MS-Exchange-CrossTenant-originalarrivaltime: 17 Jan 2018 19:29:21.8759
(UTC)

X-MS-Exchange-CrossTenant-fromentityheader: Hosted

X-MS-Exchange-CrossTenant-id: 88b378b3-6748-4867-acf9-76aacbeca6a7

X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1448

Delivery Report

From: Microsoft Outlook [MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@usepa.onmicrosoft.com]
Sent: 1/17/2018 7:29:23 PM
To: wacattle@k.com
Subject: Undeliverable: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Attachments: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Your message

To: Bennett, Tate
Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Sent: 1/17/2018 7:29:21 PM

Delivery has failed to these recipients or groups:

wacattle@k.com (wacattle@k.com)

Your message couldn't be delivered. The Domain Name System (DNS) reported that the recipient's domain does not exist.

Contact the recipient by some other means (by phone, for example) and ask them to tell their email admin that it appears that their domain isn't properly registered at their domain registrar. Give them the error details shown below. It's likely that the recipient's email admin is the only one who can fix this problem.

For more information and tips to fix this issue see this article:
<https://go.microsoft.com/fwlink/?LinkId=389361>.

Diagnostic information for administrators:

Generating server: CY4PR09MB1448.namprd09.prod.outlook.com

wacattle@k.com

Remote Server returned '550 5.4.310 DNS domain k.com does not exist [Message=InfoDomainNonexistent] [LastAttemptedServerName=k.com] [DM2GCC01FT007.eop-gcc01.prod.protection.outlook.com]'

Original message headers:

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=usepa.onmicrosoft.com; s=selector1-epa-gov; h=From:Date:Subject:Message-ID:Content-Type:MIME-Version; bh=+jIb//Ya8zKr2c6qxGh9KF3hImcbKmwU13LY70LC0AY=;

b=X3Ssf+KYkn5rYp6kR0P0K04tNWFc1E++huzlXg4zlw+CizjD9QuAz7xWr53lv8lFhE5tAl25G4cMmggkMQezFZhtCMG84dVTP4tKxX9ueSqUf44N02/bqPOp7ELZfYdAG9yhLAEinlZ+IzSnIX+r8HLdiH+mhXd762bneQhqXhOw=

Received: from CY4PR09MB1509.namprd09.prod.outlook.com (10.173.191.143) by CY4PR09MB1448.namprd09.prod.outlook.com (10.173.191.18) with Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_CBC_SHA384_P256) id 15.20.407.7; Wed, 17 Jan 2018 19:29:22 +0000

Received: from CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) by CY4PR09MB1509.namprd09.prod.outlook.com ([10.173.191.143]) with mapi id 15.20.0407.012; Wed, 17 Jan 2018 19:29:22 +0000

From: "Bennett, Tate" <Bennett.Tate@epa.gov>

To: "Bennett, Tate" <Bennett.Tate@epa.gov>

Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Thread-Topic: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Thread-Index: AdOPyVa+mYWK2DbCRCEEFMi5JBU8Nw==

Importance: high

X-Priority: 1

Date: Wed, 17 Jan 2018 19:29:21 +0000

Message-ID: <CY4PR09MB1509EB8DE7D0E3B440A4DAE496E90@CY4PR09MB1509.namprd09.prod.outlook.com>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach:

X-MS-TNEF-Correlator:

authentication-results: spf=none (sender IP is) smtp.mailfrom=Bennett.Tate@epa.gov;

x-originating-ip: [161.80.87.199]

x-ms-publictraffictype: Email

x-microsoft-exchange-diagnostics: 1;CY4PR09MB1448;7:AQOfUmArdggNlVW6NPyrItGNzdotkYipIGQcldeCT7xPVzqk8bzzxZF0HUdrSzINaRCLdHjNqBTQ/Qc0mwTku+n/IQliYtWTMx1Pwvz2JOWmjnWhsTP5PlDYwmY7HCxobBIaVRhAf71T3wBCOzOiTw67znQM6L3kIQm8o6Pm6EmcxBiFy3Iq4NUspM/cS+UyLHavh7Y2hYP7dNyAzxmWtYuaRmSpOPOfLTH4Y5uXnlyJ5h4wAFJ5dGvvNWg4FE/t

x-ms-office365-filtering-correlation-id: 16b16243-8802-4c31-9bfb-08d55de09c5c

x-microsoft-antispam: UriScan:;BCL:0;PCL:0;RULEID:(7020095)(4652020)(5600026)(4604075)(3008032)(2017052603307)(7153060)(7193020);SRVR:CY4PR09MB1448;

x-ms-trafficdiagnostictype: CY4PR09MB1448;

x-ld-processed: 88b378b3-6748-4867-acf9-76aacbeca6a7,ExtAddr

x-microsoft-antispam-prvs: <CY4PR09MB14488CBDE56440836037E20796E90@CY4PR09MB1448.namprd09.prod.outlook.com>

x-exchange-antispam-report-test: UriScan:(28532068793085)(261320762254229)(21748063052155)(211171220733660)(229425074694992);

x-exchange-antispam-report-cfa-test: BCL:0;PCL:0;RULEID:(6040470)(2401047)(8121501046)(5005006)(3002001)(93006095)(93001095)(3231023)(944501161)(10201501046)(6041268)(20161123562045)(20161123564045)(201703131423095)(201702281528075)(20161123555045)(201703061421075)(201703061406153)(20161123558120)(20161123560045)(6072148)(201708071742011);SRVR:CY4PR09MB1448;BCL:0;PCL:0;RULEID:(100000803101)(100110400095);SRVR:CY4PR09MB1448;

x-forefront-prvs: 0555EC8317

x-forefront-antispam-report: SFV:NSPM;SFS:(10019020)(376002)(396003)(39380400002)(346002)(39860400002)(366004)(199004)(189003)(54896002)(3846002)(6306002)(6116002)(55016002)(790700001)(478600001)(39060400002)(8666007)(72206003)(6436002)(6862004)(105586002)(106356001)(7336002)(236005)(14454004)(53936002)(7276002)(7416002)(2906002)(66066001)(9686003)(77096007)(97736004)(33656002)(8656006)(7366002)(99286004)(7736002)(74316002)(606006)(7406005)(316002)(68736007)(102836004)(6200100001)(7696005)(6506007)(81156014)(2900100001)(59450400001)(8676002)(81686011)(8936002)(26005)(65686004)(3280700002)(81166006)(3660700001)(5660300001)(25786009)(86362001)(217873001);DIR:OUT;SFP:1102;SCL:1;SRVR:CY4PR09MB1448;H:CY4PR09MB1509.namprd09.prod.outlook.com;FPP:;SPF:None;PTR:InfoNoRecords;A:1;MX:1;LANG:en;

received-spf: None (protection.outlook.com: epa.gov does not designate permitted sender hosts)

x-microsoft-antispam-message-info: bqtJUJR2NvXeHUIcOLOz2LqhalOKVWBdTLQldmrqWNPiunxhQusZdByzgYIQdl6YY+2D8pn2Feg0t6/NEwSj8tg==

spamdiagnosticoutput: 1:99
spamdiagnosticmetadata: NSPM
Content-Type: multipart/alternative;
 boundary="___000___CY4PR09MB1509EB9DE7D0E3B440A4DAE496E90CY4PP09MB1509namp___"
MIME-Version: 1.0
X-OriginatorOrg: epa.gov
X-MS-Exchange-CrossTenant-Network-Message-Id: 16b16243-8802-4c31-9bfb-08d55de09c5c
X-MS-Exchange-CrossTenant-originalarrivaltime: 17 Jan 2018 19:29:21.8759
 (UTC)
X-MS-Exchange-CrossTenant-fromentityheader: Hosted
X-MS-Exchange-CrossTenant-id: 88b379b3-6748-4867-acf9-76aacbeca6a7
X-MS-Exchange-Transport-CrossTenantHeadersStamped: CY4PR09MB1448

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 1/16/2018 8:04:22 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: FW: CERCLA/EPCRA Fact Sheet
Attachments: CERCLA EPCRA Factsheet FINAL.PDF; CERCLA EPCRA Factsheet FINAL (SPANISH).pdf; Canned Language for FAQs.docx

Fyi .. for our discussion with you thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Cellular Phone / Ex. 6 **(mobile)**

From: Sands, Jeffrey
Sent: Tuesday, January 16, 2018 2:45 PM
To: Rollins, Blake - OSEC, Washington, DC <Blake.Rollins@osec.usda.gov>; Klippenstein, Brian - OSEC, Washington, DC <Brian.Klippenstein@osec.usda.gov>; Johansson, Robert - OCE <RJohansson@oce.usda.gov>
Cc: Rich, Michawn - OC, Washington, DC <Michawn.Rich@oc.usda.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: CERCLA/EPCRA Fact Sheet

Team USDA,

Very much appreciate all of your efforts in helping to refine and ultimately get this message out to producers through the USDA network. Attached please find:

- Messaging (English/Spanish) to direct producers to EPA resources on CERCLA/EPCRA Reporting
- CERCLA/EPCRA fact sheets (English/Spanish)

There will be an accompanying PSA that will air soon as well as stakeholder outreach calls that EPA will host beginning on Thursday.

Again, greatly appreciate all of your assistance here.

Best,

Jeffrey Sands
Senior Advisor to the Administrator for Agriculture Policy
1200 Pennsylvania Ave, NW
2415 WJC North
Washington, DC 20460
(202) 564-2263

Canned Language for FAQs (English)

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period. The purpose of these FAQs is to provide an overview and basic information for those who are impacted by this new requirement. If you have any questions, please contact the Environmental Protection Agency via the information provided below:

- Visit www.epa.gov/animalwaste for guidance and access to the continuous release reporting forms
- Email comments or suggestions on guidance materials to: CERCLA103.guidance@epa.gov
- Regional Contacts: www.epa.gov/epcra/cr-erns-regional-contacts
- Call with questions: 1-800-424-9346

Canned Language for FAQs (Spanish)

Debido a una decisión judicial reciente, pronto se exigirá a las granjas (incluidos ranchos, operaciones ganaderas y/u operaciones animales) reportar emisiones al aire de sustancias peligrosas provenientes de desechos animales conforme a la Ley Integral de Respuesta Ambiental, Compensación y Responsabilidad (CERCLA) cuando emitan sustancias peligrosas provenientes de desechos animales en cantidades mayores o iguales a su cantidad reportable dentro de un periodo de 24 horas. El propósito de estas preguntas frecuentes es ofrecer una reseña e información básica para quienes se ven afectados por este nuevo requisito. Si tiene alguna pregunta, póngase en contacto con la Agencia de Protección Ambiental a través de la información provista a continuación:

- Visite www.epa.gov/animalwaste para obtener orientación y acceso a los formularios de reportes de emisiones continuas
- Envíe por correo electrónico comentarios o sugerencias sobre materiales de orientación a: CERCLA103.guidance@epa.gov
- Contactos regionales: www.epa.gov/epcra/cr-erns-regional-contacts
- Llame si tiene preguntas: [1-800-424-9346](tel:1-800-424-9346)

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 3/19/2018 2:46:59 PM
To: Dunn, Alexandra [dunn.alexandra@epa.gov]; Lopez, Peter [lopez.peter@epa.gov]; Caterino, Cosmo [Caterino.Cosmo@epa.gov]; Glenn, William [Glenn.William@epa.gov]; Stepp, Cathy [stepp.cathy@epa.gov]; Idsal, Anne [idsal.anne@epa.gov]; Gulliford, Jim [gulliford.jim@epa.gov]; Benevento, Douglas [benevento.douglas@epa.gov]; Strauss, Alexis [Strauss.Alexis@epa.gov]; Hladick, Christopher [hladick.christopher@epa.gov]
CC: Regional Public Affairs Directors [Regional_Public_Affairs_Directors@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Subramanian, Hema [Subramanian.Hema@epa.gov]; Wagner, Kenneth [wagner.kenneth@epa.gov]; Cheatham-Strickland, Latonia [Cheatham-Strickland.Latonia@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]
Subject: FW: CERCLA/EPCRA Talking Points for RAs

Greetings,

Following up on the RA call of 3/9 with Ken and Kell, below please find below the current talking points for the cercla/epcra air release from animal waste issue.

CERCLA/EPCRA Talking Points

- In 2008, EPA issued a rule that exempted all farms from reporting hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and most farms from needing to report under the Emergency Planning and Community Right-to-Know Act (EPCRA).
- However, due to a 2017 decision by the U.S. Court of Appeals for the D.C. Circuit vacating that exemption, farms will soon be required to report when they release reportable quantities of hazardous substances to air from manure (100 lbs or more within a 24-hour period for ammonia and hydrogen sulfide).
 - EPA has developed guidance to help farms understand the reporting obligations. It is available on EPA's website, www.epa.gov/animalwaste.
- No reporting is required until the court issues its mandate, which effectuates its decision. The court granted the EPA's request to delay issuance of the mandate until May 1, 2018.
- Legislation was recently introduced in Congress that would exempt farms from reporting air release from animal waste under CERCLA, which could be voted on as early as March 23rd. The legislation, if passed, would not alter the EPCRA reporting requirements.
- EPA is considering proposing to establish reportable quantity thresholds specific to air releases of ammonia and hydrogen sulfide from animal waste at farms. EPA is not expected to make a decision on issuing this proposal for public comment before March 23.

Nancy Grantham

**Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Cellular Phone / Ex. 6 (mobile)**

Message

From: Nitsch, Chad [Nitsch.Chad@epa.gov]
Sent: 1/17/2018 5:54:53 PM
To: Thomas, Latosha [Thomas.Latosha@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Milbourn, Cathy [Milbourn.Cathy@epa.gov]; Richardson, RobinH [Richardson.RobinH@epa.gov]; Levine, Carolyn [Levine.Carolyn@epa.gov]; Janifer, Pamela [Janifer.Pamela@epa.gov]
CC: Sands, Jeffrey [sands.jeffrey@epa.gov]; Subramanian, Hema [Subramanian.Hema@epa.gov]; Richardson, RobinH [Richardson.RobinH@epa.gov]; Bowles, Jack [Bowles.Jack@epa.gov]; Barbery, Andrea [Barbery.Andrea@epa.gov]
Subject: RE: Outreach Calls: Animal Waste

The call with ECOS and NASDA is set up. Invites have been sent or are on their way. Please note that the RAs and DRAs were interested in hearing what their states say/ask, so I extended the outlook invite to them as well.

Thanks,

Chad Nitsch
Acting Director of State and Regional Partnerships
Office of Congressional and Intergovernmental Relations
United States Environmental Protection Agency
202-564-4714

From: Thomas, Latosha
Sent: Wednesday, January 17, 2018 10:41 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Barbery, Andrea <Barbery.Andrea@epa.gov>
Subject: RE: Outreach Calls: Animal Waste

First call at 11AM is set up. Working on second...

From: Bennett, Tate
Sent: Wednesday, January 17, 2018 10:13 AM
To: Nitsch, Chad <Nitsch.Chad@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Barbery, Andrea <Barbery.Andrea@epa.gov>
Subject: RE: Outreach Calls: Animal Waste

Let me know ASAP once we have a call in for the other two. Thank you!

From: Nitsch, Chad
Sent: Tuesday, January 16, 2018 6:46 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Gioffre, Patricia

<Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>
Cc: Sands, Jeffrey <sands.jeffrey@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Barbery, Andrea <Barbery.Andrea@epa.gov>
Subject: RE: Outreach Calls: Animal Waste

Thanks Nancy. To clarify, I'm hosting a call on Thursday at 2pm with NASDA (~60 participants). My hope is that we'll also be able to invite ECOS (+~60 participants) but that will depend on teleconference capacity. Jeff is leading the call. I'll have a call-in tomorrow AM.

Thanks,

Chad Nitsch
Acting Director of State and Regional Partnerships
Office of Congressional and Intergovernmental Relations
United States Environmental Protection Agency
202-564-4714

From: Grantham, Nancy
Sent: Tuesday, January 16, 2018 5:53 PM
To: Thomas, Latosha <Thomas.Latosha@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Outreach Calls: Animal Waste

Hi Latosha,

To summarize where we are in terms of calls for Thursday, 1/18 tomorrow:

11:00 a.m. est "leaderview" call with the trade groups – (# of lines?) OLEM will lead

12:30 p.m.est "leaderview" call with OPEE stakeholders (100 lines) – OPEE will lead

Tate has requested that we get the numbers and access codes for these calls asap so notification can be made asap tomorrow.

FYI – there will also be a 2 p.m. est call with NASDA tomorrow – Chad Nitsch is leading

Please let us know if you need any further information to make this happen.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency

202-564-6879 (desk)

Cellular Phone / Ex. 6

From: Thomas, Latosha

Sent: Tuesday, January 16, 2018 5:49 PM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>

Subject: Outreach Calls: Animal Waste

Hi everyone,

As you know, we are hosting calls for our stakeholders that will be impacted by the new reporting requirements related to animal waste. Based on my discussions with many of you earlier, I wanted to make sure that I've captured everything in the outline below. In addition, let me know if the language that will be sent with the call invites is ok. Thanks!

Animal Waste Outreach Calls

Overview: EPA will host two (2) calls to notify stakeholders of the new requirements related to animal waste. The 1st call will include livestock trade associations + industry + state, local, tribal officials. The 2nd call will include actual members of the associations/organizations.

1st Call

When: Thursday (1/18) @10AM ET

Hosts: Patty Gioffre/Kim Jennings (OEM/RID)

Key Messages:

- Due to a recent court decision, farmers (including ranchers, livestock and/or animal operators) will soon be required to begin reporting emissions of hazardous substances from animal waste that are equal to or greater than a certain threshold when the court issues its mandate (January 22, 2017 or later).
- EPA has issued guidance that is available online to assist farmers in estimating their air releases and reporting under CERCLA for air releases of hazardous substances from animal waste at farms (EPA's website also contains EPA's preliminary interpretation of EPCRA to exclude farms that use substances in "routine agricultural operations" from reporting under EPCRA section 304).
- The Agency has provided outreach materials (PSA, social media, article, widget, etc.) that are available for your use and to help you get the word out about these new requirements.

Participants:

- Livestock Trade Associations
 - National Cattleman's Beef Association
 - Arizona Cattle Growers Association
 - National Chicken Council

- National Council of Farmer Cooperatives
- National Turkey Federation
- US Poultry and Egg Association
- United Egg Producers
- National Pork Producers Council
- National Pork Board
- National Milk Producers Federation
- Mid-Atlantic Dairy Association
- Nisei Farmers League
- Innovation Center for US Dairy
- Dairy Farmers of America
- Dairy Management Inc.
- Livestock and Poultry Environmental Learning Center (extension agents at land grant universities)
- Cornell PRO-DAIRY Program
- Industry
 - Seaboard Farms
 - Tyson Foods
 - National Association of State Title III Officials (NASTTPO), State Emergency Response Commissions (SERCs), Tribal Emergency Response Commissions (TERCs), Local Emergency Planning Committees (LEPCs)
 - National Association of State Departments of Agriculture
 - National Association of Clean Air Agencies – Agriculture Committee
 - American Farm Bureau Federation
- Agricultural Retailers Association (ARA)
- The Fertilizer Institute (TFI)
- National Farmers Union
- National Association of Conservation Districts (NACD)
- Enviros/NGOs
 - Sierra Club

2nd Call

When: Thursday (1/18) @2PM ET

Hosts: Tate Bennett (Patty Gioffre/Kim Jennings will participate for support)

Key Messages:

- Due to a recent court decision, farmers (including ranchers, livestock and/or animal operators) will soon be required to begin reporting emissions of hazardous substances from animal waste that are equal to or greater than a certain threshold when the court issues its mandate (January 22, 2017 or later).
- EPA has issued guidance that is available online to assist farmers in estimating their air releases and reporting under CERCLA for air releases of hazardous substances from animal waste at farms (EPA's website also contains EPA's preliminary interpretation of EPCRA to exclude farms that use substances in "routine agricultural operations" from reporting under EPCRA section 304).
- The Agency has provided outreach materials (PSA, social media, article, widget, etc.) that are available for your use and to help you get the word out about these new requirements.

Participants: Actual members of the above associations/organizations/groups

Language to be sent with invites (+ attached comms materials)

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period. The purpose of this call is to provide an overview and basic information for our stakeholders who are impacted by this new requirement.

ACTIONS

- OEM will send out invitations to participants of the 1st call
- OPE will send out invitations to participants of the 2nd call
- Latosha (OEM) will work with Cathy Milbourn (OPE) re: logistics for 2nd call*

*OEM should be able to handle the quantity of participants related to the 1st call since there will be less people.

Latosha Thomas
U.S. Environmental Protection Agency
OLEM/OEM/RMD
(202) 564-2621 (desk)

Cellular Phone / Ex. 6

thomas.latosha@epa.gov

Message

From: Beck, David S. [David.S.Beck@kyfb.com]
Sent: 11/23/2017 2:32:06 AM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Re: CERCLA-EPCRA Update

Thank you.
Have a blessed Thanksgiving!

Sent from my iPhone

On Nov 22, 2017, at 7:56 PM, Bennett, Tate <Bennett.Tate@epa.gov<mailto:Bennett.Tate@epa.gov>> wrote:

All-

As you may have seen, earlier today, the DC Circuit Court of Appeals granted EPA's motion to further stay the mandate of its decision vacating EPA's 2008 rule exempting farms from CERCLA and EPCRA emissions reporting requirements until January 22, 2018. More information can be found on EPA's website here<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.epa.gov_epcra_cercla-2Dand-2Ddepkra-2Dreporting-2Drequirements-2Dair-2Dreleases-2Dhazardous-2Dsubstances-2Danimal-2Dwaste-2Dfarms&d=DwMFag&c=dAg-sVPsKGTtKHVGgANZlg&r=t-SNBBMKh-PVYCcT82stsBuic_Rla1TxSpqNPvJRWwc&m=C4Q_IPITCMaxNMR1Fyr-ML4AVNNjlKudCsTgTU38CiY&s=IKVOVLFvgoNTTK3LjyJJEC5ZuSBspnmUgfuNnJc3Rc&e=>>.
Happy Thanksgiving Eve.
Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov<mailto:Bennett.Tate@epa.gov>

Message

From: Schaaff, Lesley [lschaaff@hess.com]
Sent: 11/23/2017 2:26:50 AM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Re: CERCLA-EPCRA Update

No worries. Happy to be on the list and hear from you.

Lesley Schaaff
Senior Manager, Regulatory Affairs
HESS CORPORATION
Office: 202-263-1012

Cellular Phone / Ex. 6

lschaaff@hess.com

On Nov 22, 2017, at 9:09 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Yes! Happy thanksgiving to you guys! ♥☐

Sorry- I know this issue isn't your jam. Didn't mean to spam you.

On Nov 22, 2017, at 8:24 PM, Schaaff, Lesley <lschaaff@hess.com> wrote:

Nonresponsive Discussion of Personal Matters / Ex. 6

Lesley Schaaff
Senior Manager, Regulatory Affairs
HESS CORPORATION
Office: 202-263-1012
Cell: 202-257-0316
lschaaff@hess.com

On Nov 22, 2017, at 7:56 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

All-

As you may have seen, earlier today, the DC Circuit Court of Appeals granted EPA's motion to **further stay the mandate** of its decision vacating EPA's 2008 rule exempting farms from CERCLA and EPCRA emissions reporting requirements **until January 22, 2018**. More information can be found on EPA's website [here](#).

Happy Thanksgiving Eve.
Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460

Bennett.Tate@epa.gov

From: Milbourn, Cathy [Milbourn.Cathy@epa.gov]
Sent: 11/7/2017 9:20:18 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]; Gordon, Stephen [gordon.stephen@epa.gov]
CC: Dewey, Amy [Dewey.Amy@epa.gov]; Brennan, Thomas [Brennan.Thomas@epa.gov]; Tanner, Lee [Tanner.Lee@epa.gov]
Subject: CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

Importance: High

Website is already updated:

<https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>

CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

• Attention!

Farms with continuous releases must submit their initial continuous release notification starting on November 15, 2017. When calling the National Response Center identify your reportable release as an "initial continuous release notification."

Overview

- Reporting Exemption and Resulting Litigation
- Purpose
- Frequent Questions
- Resources

Overview

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Emergency Planning and Community Right to Know Act (EPCRA) require facilities to report releases of hazardous substances that are equal to or greater than their reportable quantities (RQ) within any 24-hour period. Following a hazardous substance reportable

release, a facility owner or operator must notify federal authorities under CERCLA and state and local authorities under EPCRA.

Questions?

For compliance assistance, please call the EPCRA, RMP & Oil Information Center at: 1-800-424-9346.

Reporting Exemption for Animal Waste and Resulting Litigation

On December 18, 2008, EPA published a final rule that exempted most farms from certain release reporting requirements in CERCLA and EPCRA. Specifically, the rule exempted farms releasing hazardous substances from animal waste to the air above threshold levels from reporting under CERCLA. For EPCRA reporting, the rule exempted reporting of such releases if the farm had fewer animals than a large concentrated animal feeding operation (CAFO).

In short, all farms were relieved from reporting hazardous substance air releases from animal waste under CERCLA, and only large CAFOs were subject to EPCRA reporting.

A number of citizen groups challenged the validity of the final rule in the U.S. Court of Appeals for the District of Columbia Circuit. On April 11, 2017, the Court struck down the final rule, eliminating the reporting exemptions for farms. EPA sought additional time from the Court to delay the effective date so that EPA could develop guidance materials to help farmers understand their reporting obligations.

Unless the DC Circuit Court takes further action, the court's ruling takes effect on November 15, 2017.

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Purpose

EPA developed this interim guidance to assist farms in complying with requirements to report air releases of hazardous substances from animal waste under CERCLA and EPCRA. EPA welcomes comments and suggestions from the regulated community and the public on these resources and other additional resources that should be included here. Please email comments or suggestions by November 24, 2017, to: CERCLA103.guidance@epa.gov. EPA will revise this guidance, as necessary, to reflect additional information to assist farm owners and operators to meet reporting obligations.

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Frequent Questions

What are my requirements to report air releases from animal waste under CERCLA section 103?

Farm owners/operators must comply with CERCLA section 103 reporting requirements for air releases of hazardous substances from animal waste at their farms. Farm owners/operators must notify the [National Response Center \(NRC\)](#) at 1-800-424-8802 when their facilities have air releases of hazardous substances from animal wastes that are equal to or greater than their reportable quantities (RQs) within any 24-hour period.

Alternatively, you can follow a streamlined reporting process known as "continuous release reporting." This requires the facility owner or operator to:

- Call the NRC at 1-800-424-8802 and identify your reportable release as an "initial continuous release notification;"

- Submit an initial written notification to the [EPA Regional Office](#);
- One year later submit an additional follow-up written notification to the [EPA Regional Office](#).

For more information on continuous release reporting, see: [How do I report a continuous release under CERCLA?](#) and [Resources](#).

For compliance assistance, please call the EPCRA, RMP & Oil Information Center at: 1-800-424-9346.

What are my requirements to report under EPCRA section 304?

EPA interprets the statute to exclude farms that use substances in “routine agricultural operations” from reporting under EPCRA section 304. For more information, see: [EPCRA Q&A](#). EPA intends to conduct a rulemaking to clarify its interpretation of “used in routine agricultural operations” as it pertains to EPCRA reporting requirements.

When do I have to comply?

Unless the DC Circuit Court takes further action, the court’s ruling takes effect on November 15, 2017. Starting on this date, farms releasing hazardous substances to air from animal wastes, equal to or greater than their reportable quantities, within any 24-hour period, must notify the NRC. For farms with continuous releases, this means that the [initial continuous release notification](#) needs to be made as of the effective date of the Court action (currently November 15, 2017).

For compliance assistance, please call the EPCRA, RMP & Oil Information Center at: 1-800-424-9346.

What substances need to be reported?

Typical hazardous substances associated with animal wastes include ammonia and hydrogen sulfide. Both ammonia and hydrogen sulfide have a reportable quantity of 100 lbs. If a farm releases ammonia and/or hydrogen sulfide in amounts \geq the reportable quantity (100 lbs) within a 24-hour period, then the farm owner or operator must notify the [NRC](#). For a complete list, see: [CERCLA hazardous substances and their reportable quantities \(RQs\)](#).

Do I have to report when I apply fertilizers or pesticides to crops?

No, farm owners/operators do not need to report the normal application of fertilizers (including normal application of manure as a fertilizer) or the handling, storage or application of pesticide products registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). However, under CERCLA section 103, any spills or accidents involving these substances must be immediately reported to the NRC when they meet or exceed the reportable quantity.

Do I have to report if I am participating in the EPA’s Animal Feeding Operation Air Compliance Agreement?

At this time, farm owners/operators in compliance with their Animal Feeding Operation Air Compliance Agreement ([70 FR 4958](#)) are not expected to report air releases of hazardous substances from animal wastes under CERCLA and EPCRA. Per their Agreement, participants must report air releases of hazardous substances equal to or exceeding the hazardous substances’ reportable quantities under CERCLA when EPA completes the National Air Emissions Monitoring Study.

For additional information on EPCRA reporting, see: [EPCRA Q&A](#).

How do I estimate the releases for reporting?

Some farms that raise animals will have reportable releases of ammonia and/or hydrogen sulfide (i.e. release of \geq 100 lbs in a 24-hour period) from animal wastes.

These [resources](#) may assist farmers in estimating emissions.

EPA recognizes that it will be challenging for farmers to report releases from animal wastes because there is no generally accepted methodology for estimating emission quantities at this time. CERCLA section 103 allows “continuous releases” to be reported in ranges. EPA understands that farmers may need to report their releases in broad ranges that reflect the high degree of uncertainty and variability of these releases.

How can I reduce emissions?

EPA and United States Department of Agriculture (USDA) developed a [reference guide](#) that provides options for improving air quality from livestock and poultry operations. The guide provides a compilation of conservation measures for reducing air pollutant emissions and/or reducing air quality impacts from livestock and poultry operations.

Who do I notify if I need to report?

You must immediately notify the NRC at **1-800-424-8802** when you have a release of any CERCLA hazardous substance at or above its reportable quantity within any 24-hour period. However, there is an exception for the normal application of fertilizers or the handling, storage or application of pesticide products as described [above](#).

Can I request an extension?

No, CERCLA section 103 requires the facility owner or operator to immediately notify the NRC of a reportable release of a hazardous substance.

The one exception is for farm owners/operators participating in the Agency’s Animal Feeding Operation Air Compliance Agreement, and that are in compliance with their Agreements. For more information, see: [Do I have to report if I am participating in the EPA’s Animal Feeding Operation Air Compliance Agreement?](#)

Do I have to notify the NRC every time my emissions exceed the reportable quantity in a 24-hour period?

No. If your farm has releases that are continuous and stable in quantity and rate, you can follow a streamlined reporting process known as “continuous release reporting.” EPA considers emissions from animal waste to be continuous and stable in quantity and rate, and therefore eligible for this streamlined reporting option.

For more information on the regulation and guidance for continuous release reporting requirements, see: [Resources](#).

How do I report a continuous release under CERCLA?

You may follow these steps to report air emissions from animal wastes (e.g. ammonia and hydrogen sulfide releases):

Step 1: Notify the NRC at **1-800-424-8802**.

In order to qualify as a continuous release notification, **the caller must inform the NRC representative that this is an “initial continuous release notification.”**

Provide the NRC representative with:

- The name and location of the farm
- The name(s) of the hazardous substance(s) released

The NRC representative will provide an identification number (CR-ERNS) for your farm. You will have to use this number for any follow-up report or notification that is required under the continuous release reporting requirements.

Note: The NRC does not require personally identifiable information, such as an address for a private residence. As an alternative, a generic location (such as name of city/town and state) may be sufficient.

For compliance assistance, please call the EPCRA, RMP & Oil Information Center at: 1-800-424-9346.

Step 2: Submit an initial written notification to the EPA Regional Office.

Submit an initial written notification to the EPA Regional Office for the area where the release occurs, within 30 days of the call to the NRC.

Farms can use this continuous release reporting form to provide the initial written notification. *Please note that this continuous release form is intended for multiple sectors and provides directions to send information to the EPA Regional Offices and to LEPCs and SERCs. Farms not reporting under EPCRA should not send information to the LEPCs and SERCs.*

EPA is developing a streamlined continuous release reporting form for farm facility owners and operators and plans to make this form available once it is finalized.

Step 3: A one-time first anniversary follow-up report to the EPA Regional Office.

Within 30 days of the first anniversary date of the initial written notification (i.e., the first continuous release report), the person in charge of the farm must submit a one-time anniversary report to the EPA Regional Office. The farm owner/operator must verify and update the information initially submitted for each of the hazardous substances reported to the NRC and to the EPA Regional Office. This follow-up report should be re-certified by the person in charge of the farm.

EPA's guide Reporting Requirements for Continuous Releases of Hazardous Substances includes forms to assist you with developing written reports. The guide provides an overview of the information required for the initial and first anniversary follow-up reports.

Are there additional continuous release reporting requirements?

There are two additional types of continuous release reporting requirements:

- statistically significant increase (SSI) notification and
- notification of changes to previously submitted continuous release information.

You must immediately notify the NRC of any statistically significant increases (SSI) or of a change in previously submitted release information. This is most likely to be triggered by:

- an increase in the number of animals maintained on the farm (beyond the range used for the initial report) or
- a significant change (or disruption) in waste handling systems or procedures.

This is an ongoing requirement.

What is an SSI?

An SSI is an episodic release of a hazardous substance that exceeds the release quantity described in the upper bound of the normal range of the facility's continuous release report. The normal range includes all releases of a hazardous substance (from all sources at the facility) occurring over any 24-hour period under normal operating conditions during the preceding year.

Only those releases that are both continuous and stable in quantity and rate may be included in the normal range.

How often do I need to estimate emissions?

You must annually review emissions from the farm. You'll also need to estimate emissions following any significant changes in operations that may result in SSI in emissions.

A farm owner/operator filed the continuous release and one-time anniversary report to comply with CERCLA section 103 for their facility before the 2008 exemption. If the information is still valid, do they have to file again?

No, if there have been no SSI in emissions or other changes to the report filed before 2008, then the farm owner/operator need not submit another report.

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Resources

40 CFR part 302 - Designation, Reportable Quantities, and Notification Reporting Requirements for Continuous Releases of Hazardous Substances

Emission Estimates

Farm owners/operators may consider any of the resources provided in this section (or any other studies available to you) for estimating releases. You can also coordinate with your trade associations or the land-grant universities in your area (see Appendix A.3: List of AFO Air Quality Programs & Land-Grant Universities available in [reference guide](#)).

You may establish estimated quantities of releases by relying on:

- past release data,
- engineering estimates,
- your knowledge of the facility's operations and release history, or
- your best professional judgment.

Monitoring data is not required.

Disclaimer: This listing does not constitute EPA endorsement. These are provided solely as available resources for farms to use while EPA finalizes its methodologies for estimating air emissions of ammonia and hydrogen sulfide from animal wastes. Farms may use any other approaches that are available to develop these estimates.

Dairy Operations

To estimate ammonia and hydrogen sulfide emissions from dairy operations, see: [Dairy Report worksheet](#) (3 pp, 87 K, [About PDF](#)) (go to page 3) [EXIT](#). Emission estimates are inclusive of ammonia emissions from animal pen surfaces and the runoff holding pond(s). Ammonia emission rates vary between summer and winter months. The worksheet indicates that hydrogen sulfide levels are fairly stable throughout the year.

Although the Dairy Report includes a draft letter and template for continuous release reports for dairy operations, please use the [continuous release reporting form](#).

(Source: These emission estimates are based on research data collected by Texas AgriLife Research, Texas AgriLife Extension Service, Texas A&M University, USDA-Agricultural Research Service, and West Texas A&M University.)

Swine operations

To estimate ammonia and hydrogen sulfide emissions from swine operations, see: [Swine Report worksheet](#) (4 pp, 91 K, [About PDF](#)) (go to page 3) [EXIT](#). The worksheet considers typical confinement housing and manure storages that are located in a temperate climate. Emission rates are provided for shallow and deep storage pits.

Although the Swine Report worksheet includes a draft letter and template for continuous release reports for swine operations, please use the [continuous release reporting form](#).

(Source: The emissions estimates are derived from research reported by:

Gay, S.W., D.R. Schmidt, C.J. Clanton, K.A. Janni, L.D. Jacobson, S. Weisberg. 2003. Odor,

Total Reduced Sulfur and Ammonia Emissions from Animal Housing Facilities and Manure Storage Units in Minnesota. Applied Engineering in Agriculture, 19(3) 347-360, ASABE, St. Joseph, MI.
and:

Jacobson, L.D., A.J. Heber, S.J. Hoff, Y. Zhang, D.B. Beasley, J.A. Koziel, and B.P. Hetchler. 2006. Aerial Pollutants Emissions from Confined Animal Buildings. Summary report, Ag Air Workshop, USDA-IFAFS research and demonstration program.) This study indicates that these values are a good faith estimate of emissions from swine operations using typical confinement housing and manure storages and located in a temperate climate.)

Poultry Operations

Ammonia and Hydrogen Sulfide Emission Rates for Poultry Operations (3 pp, 36 K, [About PDF](#)) [EXIT](#) provides ammonia and hydrogen sulfide emission rates for poultry operations, including broilers, laying hens and turkeys. This study lists emission rates for various housing type for each species. It also includes instructions for using the emission rates to calculate emissions for these substances, as well as examples on calculating emissions.

(Source: Hongwei Xin, Robert Burns, and Hong Li. January 2009. Ammonia (NH3) and Hydrogen Sulfide (H2S) Emission Rates for Poultry Operations. Agricultural and Biosystems Engineering Dept., Iowa State University, Ames, Iowa.)

General emission estimates for ammonia from beef, dairy, horse, swine, poultry operations

An ammonia emissions estimator(2 pp, 16 K, [About PDF](#)) [EXIT](#) is available for beef, dairy, horse, poultry (broiler, turkey, and ducks), and swine. This study was completed by the University of Nebraska on ammonia losses from animal housing facilities in various conditions (i.e. open dirt lots, on cool and humid days) for different species. Example ammonia emissions estimator worksheets are available for swine and cattle:

- o Swine example (2 pp, 31 K, [About PDF](#)) [EXIT](#) for calculating emissions of ammonia for a farm that houses 5,000 swine.
- o Cattle example(2 pp,33 K, [About PDF](#)) [EXIT](#) for calculating emissions of ammonia for a beef feedlot with 1,000 head of cattle.

(Source: Rick Stowell and Rick Koelsch, University of Nebraska.)

*A summary of the resources above are included in the following table.*The following links exit the site [EXIT](#)

Resources for Emissions Estimates

Type	Ammonia	Hydrogen Sulfide	Inputs
Beef	<u>Ammonia emissions estimator</u> (2 pp, 31 K, About PDF) <u>Cattle example</u> (2	-	- Number of animals - Animal housing -

Resources for Emissions Estimates

Type	Ammonia	Hydrogen Sulfide	Inputs
	pp,33 K, About PDF)		Manure storage
Dairy	Dairy Report worksheet (3 pp, 87 K, About PDF) (see page 3)	Dairy Report worksheet (3 pp, 87 K, About PDF) (see page 3)	- Number of animals - Season
	Ammonia emissions estimator (2 pp, 16 K, About PDF)	-	- Number of animals - Animal housing - Manure storage
Swine	Swine Report worksheet (4 pp, 91 K, About PDF) (see page 3)	Swine Report worksheet (4 pp, 91 K, About PDF) (see page 3)	- Number of swine - Facility type - Manure system
	Ammonia emissions estimator (2 pp, 16 K, About PDF) Swine example (2 pp, 31 K, About PDF)	-	- Number of animals - Animal housing - Manure storage
Poultry	Ammonia and	Ammonia and Hydrogen Sulfide Emission Rates for	- Number

Resources for Emissions Estimates

Type	Ammonia	Hydrogen Sulfide	Inputs
	<u>Hydrogen Sulfide Emission Rates for Poultry Operations</u> (3 pp, 36 K, <u>About PDF</u>)	<u>Poultry Operations</u> (3 pp, 36 K, <u>About PDF</u>)	of animals - Poultry type - Housing type
	<u>Ammonia emissions estimator</u> (2 pp, 16 K, <u>About PDF</u>)	-	- Number of animals - Animal housing - Manure storage
Horse	<u>Ammonia emissions estimator</u> (2 pp, 16 K, <u>About PDF</u>)	-	- Number of animals - Animal housing - Manure storage

[Top of Page](#)

[Contact Us](#) to ask a question, provide feedback, or report a problem.

Catherine C. Milbourn
Public Liaison Specialist
Office of the Administrator
U.S. EPA HQ
Washington, D.C.
202-564-7849 (office)

Cellular Phone / Ex. 6

Message

From: Danielle Quist [danielleq@fb.org]
Sent: 10/2/2017 2:20:55 PM
To: Brooks, Becky [Brooks.Becky@epa.gov]; Andrew Walmsley [andreww@fb.org]
CC: Bennett, Tate [Bennett.Tate@epa.gov]; Don Parrish [donp@fb.org]; Gordon, Stephen [gordon.stephen@epa.gov]; Davis, Patrick [davis.patrick@epa.gov]
Subject: RE: farm bureau

I am available at that time.

Danielle Hallcom Quist
Senior Counsel for Public Policy
American Farm Bureau Federation
600 Maryland Avenue, SW Suite 1000W
Washington, DC 20024
Office: (202) 406-3618

Cellular Phone / Ex. 6
danielleq@fb.org

From: Brooks, Becky [mailto:Brooks.Becky@epa.gov]
Sent: Monday, October 02, 2017 10:20 AM
To: Danielle Quist; Andrew Walmsley
Cc: Bennett, Tate; Don Parrish; Gordon, Stephen; Davis, Patrick
Subject: RE: farm bureau

Are folks available at 2:00 tomorrow, October 3? If so, we can send out a meeting notice with the address and room number. Thanks. Becky

*Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762*

From: Danielle Quist [mailto:danielleq@fb.org]
Sent: Thursday, September 28, 2017 6:05 PM
To: Andrew Walmsley <andreww@fb.org>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Don Parrish <donp@fb.org>; Gordon, Stephen <gordon.stephen@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>
Subject: Re: farm bureau

I am free all day Monday. Tuesday I am free before 10 a.m. and then after 2 p.m.

Thanks!

Sent from Danielle H. Quist's phone

On Sep 28, 2017, at 5:45 PM, Andrew Walmsley <andreww@fb.org> wrote:

I'm free most of Monday before 2:00 p.m.

Thanks!

Andrew Walmsley
Director, Congressional Relations
American Farm Bureau Federation®
Phone: (202) 406-3686

Cellular Phone / Ex. 6

andreww@fb.org

On Sep 28, 2017 5:36 PM, "Bennett, Tate" <Bennett.Tate@epa.gov> wrote:
Monday or Tuesday would be great for my team!

> On Sep 28, 2017, at 5:27 PM, Davis, Patrick <davis.patrick@epa.gov> wrote:

>

> Hi Don, Danielle and Andrew,

>

> Thank you. I have copied Becky Brooks to find a convenient time for us to meet next week.

>

> Thanks,

>

> Patrick Davis

> Environmental Protection Agency

> Deputy Assistant Administrator, Office of Land and Emergency Management

> 202-564-3103 office

Cellular Phone / Ex. 6

>

> Information sent to this email address may be subject to FOIA.

>

> -----Original Message-----

> From: Don Parrish [<mailto:donp@fb.org>]

> Sent: Thursday, September 28, 2017 5:09 PM

> To: Bennett, Tate <Bennett.Tate@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>

> Cc: Andrew Walmsley <andreww@fb.org>; Danielle Quist <danielledq@fb.org>

> Subject: RE: farm bureau

>

> Yes - I need to hand this off the Danielle and Andrew. And I can also attend.

>

> Don R Parrish

> American Farm Bureau Federation(r)

> 202-406-3667

> donp@fb.org

>

>

> -----Original Message-----

> From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]

> Sent: Thursday, September 28, 2017 3:26 PM

> To: Davis, Patrick

> Cc: Don Parrish

> Subject: Re: farm bureau

>

> You bet. Don, can your guys come chat with us on this?

>

>> On Sep 28, 2017, at 2:53 PM, Davis, Patrick <davis.patrick@epa.gov> wrote:

>>

>> Hi Tate,

>>

>> Could you please help me schedule a meeting with the farm bureau to discuss cercla EPCRA ?

>>

>> Thanks,

>>

>> Patrick Davis

>> Environmental Protection Agency
>> Deputy Associate Director, Office of Land and Emergency Management
>> 202-564-3103 office
>> **Cellular Phone / Ex. 6**
>>
>> Emails sent to this address may be subject to FOIA.
>>
>> Sent from my iPhone

Message

From: Jackson, Ryan [jackson.ryan@epa.gov]
Sent: 4/20/2018 1:00:37 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Beck, Nancy [Beck.Nancy@epa.gov]; Brown, Byron [brown.byron@epa.gov]; Baptist, Erik [Baptist.Erik@epa.gov]; Yamada, Richard (Yujiro) [yamada.richard@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov]; Greenwalt, Sarah [greenwalt.sarah@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]; Gordon, Stephen [gordon.stephen@epa.gov]; Cook, Steven [cook.steven@epa.gov]; Darwin, Veronica [darwin.veronica@epa.gov]; Chancellor, Erin [chancellor.erin@epa.gov]; Woods, Clint [woods.clint@epa.gov]; Darwin, Henry [darwin.henry@epa.gov]; Hanson, Paige (Catherine) [hanson.catherine@epa.gov]; Ford, Hayley [ford.hayley@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Konkus, John [konkus.john@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]
CC: Ford, Hayley [ford.hayley@epa.gov]
Subject: deputies meeting follow up
Attachments: 2018 2nd QTR Travel - Draft.docx

All –

Attached are the upcoming events we would like to highlight.

Please get with OPA in particular Liz ASAP on ideas to highlight each new item.

Please let me know if we have missed something or if something has occurred to you which should be placed on this.

Thanks.

Ryan Jackson
Chief of Staff
U.S. Environmental Protection Agency

Personal Phone / Ex. 6

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					April 20 DC Testify Prep RON: DC	April 21 DC RON: DC
April 22 DC Media (this week?): Gliders RON: DC	April 23 Georgia FLY: DCA – GA Media: Earth Day; Biomass Elementary School Reading / Tree Planting w/ Barrs Tree Farm FLY: GA – DCA RON: DC	April 24 DC Arrival Ceremony & Luncheon: French President Macron Speaking Engagement: Farm Broadcasters Media: Science Transparency Memo / Event Biomass Policy announcement: this week? RON: DC	April 25 DC Joint Session of Congress: French President Macron Flint Lead meeting Media: Brownfields awards announcements RON: DC	April 26 DC Testify: House E&C Testify: House Appropriations RON: DC	April 27 DC HOLD: RFS Meeting w/ POTUS, Toomey & Cruz Republican Natl Lawyers Assn RON: DC	April 28 DC FLY: DCA – FL Heritage Leadership Conference FLY: FL – DCA RON: DC
April 29 DC RON: DC	April 30 DC Media: Ozone Designations and NAAQS announcements; newest NSR memo? RON: DC	May 1 DC Speaking Engagement: National War College Announcement: EPCRA fact sheets and guidance RON: DC	May 2 DC Media: RMP Proposed Rule Gliders final rule? RON: DC	May 3 DC HOLD: Chesapeake Bay Commission Meeting RON: DC	May 4 DC RON: DC	May 5 DC RON: DC
May 6 DC RON: DC	May 7 DC Media (this week): Spring Unified Regulatory Agenda with Press Roundtable RON: DC	May 8 DC Keynote: Industrial Minerals Association Announcement: DERA NOFA meeting with Calvert at EPA? RON: DC	May 9 DC Administrator's Birthday!! Cabinet Meeting RON: DC	May 10 DC Florida Farm Bureau RON: DC	May 11 DC Speaking Engagement: National Marine Manufacturers Tulsa Chamber DC Fly-In RON: DC	May 12 DC RON: DC

May 13 DC	May 14 DC Media: Office of Continuous Improvements OLEM Workforce Grants Event at EPA RON: DC	May 15 DC DOI Energy Summit RON: DC	May 16 DC HOLD: Senate Approps Hearing RON: DC	May 17 DC Keynote: United Egg Producers RON: DC	May 18 DC RON: DC	May 19 DC RON: DC
May 20 DC RON: DC	May 21 DC RON: DC	May 22 DC PFAS National Dialogue Meeting Western Caucus Member Only Lunch & Speaking Event RON: DC	May 23 West Virginia HOLD: Aerospace Industries Association Spring Board of Governors Meeting (WV) RON: WV / VA	May 24 Virginia HOLD: Virginia Events Memorial Day Remembrance Event RON: DC	May 25 DC RON: DC	May 26 DC RON: DC
May 27 DC Media (this week?): WOTUS Step 2 Proposed Rule to OMB RON: DC	May 28 DC Memorial Day RON: DC	May 29 DC RON: DC	May 30 DC RON: DC	May 31 Mississippi FLY: DC – MS Speaking Engagement: Delta Council RON: MS	June 1 Mississippi Speaking Engagement: Delta Council FLY: MS – DC RON: DC	June 2 DC RON: DC

Other projects to plug in soon:

- **In May**, finalizing CCR new deadlines and changes to former rule
- Risk Evaluations for top ten chemicals highlighted in Lautenberg Act
- Airshed grants from OAR
- NSPS proposal with stakeholders
- Media/Event: Opioids / Prescription Med Disposal
- FOIA 2008-16 backlog clearing
- WPS/Application announcement with NSDA
- Grant announcements – workforce and others
- **End of May**, WOTUS proposal to OMB
- **In June**, Lead report event

Others

- Superfund Roadshow – events around NPL deletions with stakeholders
- New Superfund List Announcements – Administrator’s list announcements
- Abandoned mine clean up with Ducks Unlimited and Trout Unlimited
- Permitting examples to support infrastructure plan
- Telework / union contract changes
- June – Lead report back from OMB

- June 22 – 2nd year anniversary of Lautenberg Act announcements (5)

Message

From: Thomas, Latosha [Thomas.Latosha@epa.gov]
Sent: 2/8/2018 7:39:46 PM
To: Dunkins, Robin [Dunkins.Robin@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Subramanian, Hema [Subramanian.Hema@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Lewis, Jen [Lewis.Jen@epa.gov]; Salo, Earl [Salo.Earl@epa.gov]; Taylor, Trish [Taylor.Trish@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]
CC: Indermark, Michele [Indermark.Michele@epa.gov]; Hyman Moore, Julie [Hyman.Julie@epa.gov]; Roache, Brendan [Roache.Brendan@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Clark, Becki [Clark.Becki@epa.gov]; Mayer, Eileen [Mayer.Eileen@epa.gov]
Subject: RE: ACTION: Updates to Animal Waste Reporting Communications Materials (2PM TODAY)

Thanks, Robin. We'll keep that messaging on the fact sheet.

From: Dunkins, Robin
Sent: Thursday, February 08, 2018 2:39 PM
To: Jennings, Kim <Jennings.Kim@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Salo, Earl <Salo.Earl@epa.gov>; Taylor, Trish <Taylor.Trish@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Indermark, Michele <Indermark.Michele@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Roache, Brendan <Roache.Brendan@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Clark, Becki <Clark.Becki@epa.gov>; Mayer, Eileen <Mayer.Eileen@epa.gov>
Subject: RE: ACTION: Updates to Animal Waste Reporting Communications Materials (2PM TODAY)

I'm assuming you already know this but in response to the question of the timing of the emission estimating methodologies, we still know the estimation methodologies will not be complete prior mandate being issued.

Robin Dunkins, Group Leader
Natural Resources Group
OAR/OAQPS/SPPD Mail Code: E143-03
U.S. Environmental Protection Agency
Research Triangle Park, NC 27711
919-541-5335
dunkins.robins@epa.gov

From: Jennings, Kim
Sent: Thursday, February 08, 2018 10:43 AM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Salo, Earl <Salo.Earl@epa.gov>; Taylor, Trish <Taylor.Trish@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Indermark, Michele <Indermark.Michele@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Roache, Brendan <Roache.Brendan@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Clark, Becki <Clark.Becki@epa.gov>;

Mayer, Eileen <Mayer.Eileen@epa.gov>; Dunkins, Robin <Dunkins.Robin@epa.gov>

Subject: RE: ACTION: Updates to Animal Waste Reporting Communications Materials (2PM TODAY)

Thanks Hema.

All, regarding the question on emission. The website and the factsheet had two different answers to the question: **How often do I need to estimate emissions?** The one of the website is our agreed upon response so we have adjusted the factsheet response.

Thanks,
Kim

Kim Jennings
Division Director || Regulations Implementation Division
U.S. Environmental Protection Agency || Office of Emergency Management
E-mail: jennings.kim@epa.gov || Desk: (202) 564-7998 ||

From: Subramanian, Hema

Sent: Thursday, February 08, 2018 10:11 AM

To: Thomas, Latosha <Thomas.Latosha@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Salo, Earl <Salo.Earl@epa.gov>; Taylor, Trish <Taylor.Trish@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>

Cc: Indermark, Michele <Indermark.Michele@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Roache, Brendan <Roache.Brendan@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Mayer, Eileen <Mayer.Eileen@epa.gov>; Dunkins, Robin <Dunkins.Robin@epa.gov>

Subject: RE: ACTION: Updates to Animal Waste Reporting Communications Materials (2PM TODAY)

Looks good. Just adding Robin Dunkins since there is a question about the estimation methodologies.
---Hema.

From: Thomas, Latosha

Sent: Thursday, February 08, 2018 9:47 AM

To: Jennings, Kim <Jennings.Kim@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Salo, Earl <Salo.Earl@epa.gov>; Taylor, Trish <Taylor.Trish@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>

Cc: Indermark, Michele <Indermark.Michele@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Roache, Brendan <Roache.Brendan@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Mayer, Eileen <Mayer.Eileen@epa.gov>

Subject: ACTION: Updates to Animal Waste Reporting Communications Materials (2PM TODAY)

Importance: High

Hi All,

Here's a summary of the communications products that need to be changed based on the Court granting EPA's motion to further stay issuance of the mandate until May 1, 2018. The major changes are related to the fact sheet + toolkit. I have outlined my suggested revisions below. Please let me know by **3PM today** if you have any comments/suggestions. Thanks!

Changes to content:

- **Current:** As a result of the Court decision, farms with animal operations that release certain amounts of hazardous substances will be required to report these air emissions as early as January 22, 2018.
Revision: As a result of the Court decision, farms with animal operations that release certain amounts of hazardous substances will be required to report these air emissions as early as May 1, 2018.
- **Current: When do I need to report?** The Court is expected to issue its order on January 22, 2018. Farms do not have to report until the Court issues its mandate.
Revision: When do I need to report? Farms do not have to report until the Court issues its mandate, which is expected as early as May 1, 2018.
- **Current: How often do I need to estimate emissions?** If you use the continuous release reporting process, you need to review emissions from the farm once a year. You'll also need to estimate emissions following any significant changes in operations that may result in statistically significant increases in emissions.
Revision: How often do I need to estimate emissions? If you use the continuous release reporting process, you need to review emissions from the farm once a year. You should also estimate emissions following any significant changes in operations that may result in statistically significant increases in emissions. You'll also need to report any statistically significant increases in emissions.

Other actions:

- In the header, the date needs to be changed to February 2018.
- Publication number needs to change since this is a different version
- Needs Spanish translation

Question:

Do we still know that the development of methodologies for estimating emissions (mentioned in green box) won't be completed until the Court issues its mandate?

TOOLKIT <https://www.epa.gov/agriculture/online-resources-cercla-and-epcra-air-emissions-agriculture>

First action: Take down all content immediately until everything is updated. **New message for page:** *We are currently revising outreach materials for farmers with animal operations in order to be consistent with the DC Circuit Court of Appeals' decision to grant EPA's motion to further stay the issuance of the mandate until May 1, 2018. If you have any questions or comments, please send an email to CERCLA103.guidance@epa.gov.*

Second action:

Facebook posts for toolkit

- **Current:** Due to a recent Court action, many farmers with animal operations will be required to report emissions from animal waste as early as Jan. 22. Visit www.epa.gov/animalwaste or call 1-800-424-9346 for tools on the new requirement.

- **Revision:** Due to a recent Court action, many farmers with animal operations will be required to report emissions from animal waste as early as May 1. Visit www.epa.gov/animalwaste or call 1-800-424-9346 for tools on the new requirement.
- **Current (and suggested to stay the same):** EPA has provided guidance to help farmers with animal operations comply with reporting requirements for air releases from animal waste. Visit www.epa.gov/animalwaste or call 1-800-424-9346 for more info.

Tweets for toolkit

- **Current:** Visit www.epa.gov/animalwaste or call 1-800-424-9346 to get info about the new reporting requirements for farmers coming as early as Jan. 22! #animalwaste
- **Revision:** Visit www.epa.gov/animalwaste or call 1-800-424-9346 to get info about the new reporting requirements for farmers coming as early as May 1! #animalwaste
- **Current (and suggested to stay the same):** #DYK EPA has guidance to help farmers with animal operations comply with new reporting requirements under CERCLA & EPCRA? Visit www.epa.gov/animalwaste or call 1-800-424-9346. #animalwaste

PSA Audio File

- **Current:** Due to a recent court action, many farms with animal operations across the United States will be required to report emissions from animal waste as early as January 22. EPA had exempted most farms from this requirement under the EPCRA and CERCLA laws but due to a recent lawsuit, the courts eliminated this exemption. EPA has online tools to help animal ag producers determine if this requirement applies to their operations, and help them comply with the law. To learn more, visit www.epa.gov/animalwaste or call 1-800-424-9346.
- **Revision:** Due to a recent court action, many farms with animal operations across the United States will be required to report emissions from animal waste as early as May 1st. EPA had exempted most farms from this requirement under the EPCRA and CERCLA laws but due to a recent lawsuit, the courts eliminated this exemption. EPA has online tools to help animal ag producers determine if this requirement applies to their operations and help them comply with the law. To learn more, visit www.epa.gov/animalwaste or call 1-800-424-9346.

Newsletter

- **Current:** Due to a recent Court action, many farms with animal operations (which includes ranching operations) will need to report emissions from animal waste as early as Jan. 22.

Several environmental laws (Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and the Emergency Planning and Community Right-to-Know Act (EPCRA)) require any facility to report releases of hazardous substances if the releases exceed a reportable quantity in a 24-hour period. In 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substance from animal waste under CERCLA, and only subjected large concentrated animal feeding operations (CAFOs) to EPCRA reporting. The primary rationale for the final rule was the fact that, although the purpose of the notifications is to evaluate the need for an emergency response, EPA had not initiated any responses to air releases from animal waste and EPA could not foresee a circumstance where such a release would trigger a response. Citizen groups challenged the validity of EPA's rule, and the U.S. Court of Appeals for the DC Circuit struck down EPA's rule on April 11, 2017, eliminating the exemptions for farms. EPA sought and was granted additional time from the Court to delay the effective date of the ruling until January 22, 2018, so that EPA could develop guidance materials to help farmers understand their reporting obligations. No reporting is required until the Court issues its order, or mandate, enforcing the April, 2017 decision.

Once reporting is required, farms may follow a streamlined reporting process known as "continuous release reporting." This requires the facility owner or operator to:

- Notify the National Response Center for qualifying releases that occur within a 24-hour period;

- Submit an initial written notification (Continuous Release Reporting Form found at: <https://www.epa.gov/epcra/appendix-b-reporting-requirements-continuous-releases-hazardous-substances>) to the EPA Regional Office; and
- One year later, submit an additional follow-up written notification to the EPA Regional Office.

As part of the initial written notification, facility owners and operators are required to report an estimate on their releases. EPA recognizes it will be challenging for farmers to estimate releases because the variability in emissions from manure management systems has slowed the development of universally applicable methodologies for estimating these releases. However, to help farmers comply with the Court's requirement, EPA has made resources available on its website which may be helpful in estimating emissions. Farmers may also use other models in estimating emissions. Estimated quantities of releases by farmers can be based on: past release data; engineering estimates; their knowledge of the facility's operations and release history; or their best professional judgment. Monitoring data is not required. Farmers should keep a copy of the calculation for future reference. For more information, please see the Resources link at: <https://www.epa.gov/animalwaste>

- **Revision:** Due to a recent Court action, many farms with animal operations (which includes ranches and livestock/poultry operations) will need to report emissions from animal waste as early as May 1. Two environmental laws, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA), require any facility to report releases of hazardous substances if the releases exceed a reportable quantity in a 24-hour period. In 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substances from animal waste under CERCLA and only subjected large concentrated animal feeding operations (CAFOs) to EPCRA reporting. The primary rationale for the final rule was the fact that, although the purpose of the notifications is to evaluate the need for an emergency response, EPA had not initiated any responses to air releases from animal waste, and EPA could not foresee a circumstance where such a release would trigger a response. Citizen groups challenged the validity of EPA's rule, and the U.S. Court of Appeals for the DC Circuit struck down EPA's rule on April 11, 2017, eliminating the exemptions for farms. EPA sought and was granted additional time from the Court to delay the effective date of the ruling until May 1, 2018, so the agency could develop guidance and communications materials to help farmers understand their reporting obligations. No reporting is required until the Court issues its order, or mandate, enforcing the April 2017 decision.

Once reporting is required, farms may follow a streamlined reporting process known as "continuous release reporting." This requires the facility owner or operator to:

- Notify the National Response Center for qualifying releases that occur within a 24-hour period;
- Submit an initial written notification (Continuous Release Reporting Form found at: <https://www.epa.gov/epcra/appendix-b-reporting-requirements-continuous-releases-hazardous-substances>) to the EPA Regional Office; and
- One year later, submit an additional follow-up written notification to the EPA Regional Office.

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Widget

- **Current:** Due to a recent court action, many farms with animal operations will be required to report emissions from animal waste as early as January 22.
- **Revision:** Due to a recent court action, many farms with animal operations will be required to report emissions from animal waste as early as May 1.

Latosha Thomas
U.S. Environmental Protection Agency
OLEM/OEM/RMD
(202) 564-2621 (desk)
Cellular Phone / Ex. 6
thomas.latosha@epa.gov

Message

From: Sands, Jeffrey [sands.jeffrey@epa.gov]
Sent: 2/8/2018 7:26:49 PM
To: Jennings, Kim [Jennings.Kim@epa.gov]; Subramanian, Hema [Subramanian.Hema@epa.gov]; Thomas, Latosha [Thomas.Latosha@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Lewis, Jen [Lewis.Jen@epa.gov]; Salo, Earl [Salo.Earl@epa.gov]; Taylor, Trish [Taylor.Trish@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]
CC: Indermark, Michele [Indermark.Michele@epa.gov]; Hyman Moore, Julie [Hyman.Julie@epa.gov]; Roache, Brendan [Roache.Brendan@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Clark, Becki [Clark.Becki@epa.gov]; Mayer, Eileen [Mayer.Eileen@epa.gov]; Dunkins, Robin [Dunkins.Robin@epa.gov]
Subject: RE: ACTION: Updates to Animal Waste Reporting Communications Materials (2PM TODAY)

Thanks to all for your work here.

Jeff

From: Jennings, Kim
Sent: Thursday, February 8, 2018 10:43 AM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Salo, Earl <Salo.Earl@epa.gov>; Taylor, Trish <Taylor.Trish@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Indermark, Michele <Indermark.Michele@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Roache, Brendan <Roache.Brendan@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Clark, Becki <Clark.Becki@epa.gov>; Mayer, Eileen <Mayer.Eileen@epa.gov>; Dunkins, Robin <Dunkins.Robin@epa.gov>
Subject: RE: ACTION: Updates to Animal Waste Reporting Communications Materials (2PM TODAY)

Thanks Hema.

All, regarding the question on emission. The website and the factsheet had two different answers to the question: **How often do I need to estimate emissions?** The one of the website is our agreed upon response so we have adjusted the factsheet response.

Thanks,
Kim

Kim Jennings
Division Director || Regulations Implementation Division
U.S. Environmental Protection Agency || Office of Emergency Management
E-mail: jennings.kim@epa.gov || Desk: (202) 564-7998 ||

From: Subramanian, Hema
Sent: Thursday, February 08, 2018 10:11 AM
To: Thomas, Latosha <Thomas.Latosha@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Salo, Earl <Salo.Earl@epa.gov>; Taylor, Trish <Taylor.Trish@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Indermark, Michele <Indermark.Michele@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Roache, Brendan <Roache.Brendan@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Clark, Becki <Clark.Becki@epa.gov>;

Mayer, Eileen <Mayer.Eileen@epa.gov>; Dunkins, Robin <Dunkins.Robin@epa.gov>

Subject: RE: ACTION: Updates to Animal Waste Reporting Communications Materials (2PM TODAY)

Looks good. Just adding Robin Dunkins since there is a question about the estimation methodologies.

---Hema.

From: Thomas, Latosha

Sent: Thursday, February 08, 2018 9:47 AM

To: Jennings, Kim <Jennings.Kim@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Salo, Earl <Salo.Earl@epa.gov>; Taylor, Trish <Taylor.Trish@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>

Cc: Indermark, Michele <Indermark.Michele@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Roache, Brendan <Roache.Brendan@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Mayer, Eileen <Mayer.Eileen@epa.gov>

Subject: ACTION: Updates to Animal Waste Reporting Communications Materials (2PM TODAY)

Importance: High

Hi All,

Here's a summary of the communications products that need to be changed based on the Court granting EPA's motion to further stay issuance of the mandate until May 1, 2018. The major changes are related to the fact sheet + toolkit. I have outlined my suggested revisions below. Please let me know by **3PM today** if you have any comments/suggestions. Thanks!

FACT SHEET https://www.epa.gov/sites/production/files/2018-01/documents/cercla_epcra_factsheet_final.pdf

Changes to content:

- **Current:** As a result of the Court decision, farms with animal operations that release certain amounts of hazardous substances will be required to report these air emissions as early as January 22, 2018.
Revision: As a result of the Court decision, farms with animal operations that release certain amounts of hazardous substances will be required to report these air emissions as early as May 1, 2018.
- **Current: When do I need to report?** The Court is expected to issue its order on January 22, 2018. Farms do not have to report until the Court issues its mandate.
Revision: When do I need to report? Farms do not have to report until the Court issues its mandate, which is expected as early as May 1, 2018.
- **Current: How often do I need to estimate emissions?** If you use the continuous release reporting process, you need to review emissions from the farm once a year. You'll also need to estimate emissions following any significant changes in operations that may result in statistically significant increases in emissions.
Revision: How often do I need to estimate emissions? If you use the continuous release reporting process, you need to review emissions from the farm once a year. You should also estimate emissions following any significant changes in operations that may result in statistically significant increases in emissions. You'll also need to report any statistically significant increases in emissions.

Other actions:

- In the header, the date needs to be changed to February 2018.
- Publication number needs to change since this is a different version
- Needs Spanish translation

Question:

Do we still know that the development of methodologies for estimating emissions (mentioned in green box) won't be completed until the Court issues its mandate?

TOOLKIT <https://www.epa.gov/agriculture/online-resources-cercla-and-epcra-air-emissions-agriculture>

First action: Take down all content immediately until everything is updated. **New message for page:** *We are currently revising outreach materials for farmers with animal operations in order to be consistent with the DC Circuit Court of Appeals' decision to grant EPA's motion to further stay the issuance of the mandate until May 1, 2018. If you have any questions or comments, please send an email to CERCLA103.guidance@epa.gov.*

Second action:

Facebook posts for toolkit

- **Current:** Due to a recent Court action, many farmers with animal operations will be required to report emissions from animal waste as early as Jan. 22. Visit www.epa.gov/animalwaste or call 1-800-424-9346 for tools on the new requirement.
- **Revision:** Due to a recent Court action, many farmers with animal operations will be required to report emissions from animal waste as early as May 1. Visit www.epa.gov/animalwaste or call 1-800-424-9346 for tools on the new requirement.
- **Current (and suggested to stay the same):** EPA has provided guidance to help farmers with animal operations comply with reporting requirements for air releases from animal waste. Visit www.epa.gov/animalwaste or call 1-800-424-9346 for more info.

Tweets for toolkit

- **Current:** Visit www.epa.gov/animalwaste or call 1-800-424-9346 to get info about the new reporting requirements for farmers coming as early as Jan. 22! #animalwaste
- **Revision:** Visit www.epa.gov/animalwaste or call 1-800-424-9346 to get info about the new reporting requirements for farmers coming as early as May 1! #animalwaste
- **Current (and suggested to stay the same):** #DYK EPA has guidance to help farmers with animal operations comply with new reporting requirements under CERCLA & EPCRA? Visit www.epa.gov/animalwaste or call 1-800-424-9346. #animalwaste

PSA Audio File

- **Current:** Due to a recent court action, many farms with animal operations across the United States will be required to report emissions from animal waste as early as January 22. EPA had exempted most farms from this requirement under the EPCRA and CERCLA laws but due to a recent lawsuit, the courts eliminated this exemption. EPA has online tools to help animal ag producers determine if this requirement applies to their operations, and help them comply with the law. To learn more, visit www.epa.gov/animalwaste or call 1-800-424-9346.
- **Revision:** Due to a recent court action, many farms with animal operations across the United States will be required to report emissions from animal waste as early as May 1st. EPA had exempted most farms from this

requirement under the EPCRA and CERCLA laws but due to a recent lawsuit, the courts eliminated this exemption. EPA has online tools to help animal ag producers determine if this requirement applies to their operations and help them comply with the law. To learn more, visit www.epa.gov/animalwaste or call 1-800-424-9346.

Newsletter

- **Current:** Due to a recent Court action, many farms with animal operations (which includes ranching operations) will need to report emissions from animal waste as early as Jan. 22.

Several environmental laws (Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and the Emergency Planning and Community Right-to-Know Act (EPCRA)) require any facility to report releases of hazardous substances if the releases exceed a reportable quantity in a 24-hour period. In 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substance from animal waste under CERCLA, and only subjected large concentrated animal feeding operations (CAFOs) to EPCRA reporting. The primary rationale for the final rule was the fact that, although the purpose of the notifications is to evaluate the need for an emergency response, EPA had not initiated any responses to air releases from animal waste and EPA could not foresee a circumstance where such a release would trigger a response. Citizen groups challenged the validity of EPA's rule, and the U.S. Court of Appeals for the DC Circuit struck down EPA's rule on April 11, 2017, eliminating the exemptions for farms. EPA sought and was granted additional time from the Court to delay the effective date of the ruling until January 22, 2018, so that EPA could develop guidance materials to help farmers understand their reporting obligations. No reporting is required until the Court issues its order, or mandate, enforcing the April, 2017 decision.

Once reporting is required, farms may follow a streamlined reporting process known as "continuous release reporting." This requires the facility owner or operator to:

- Notify the National Response Center for qualifying releases that occur within a 24-hour period;
- Submit an initial written notification (Continuous Release Reporting Form found at: <https://www.epa.gov/epcra/appendix-b-reporting-requirements-continuous-releases-hazardous-substances>) to the EPA Regional Office; and
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As part of the initial written notification, facility owners and operators are required to report an estimate on their releases. EPA recognizes it will be challenging for farmers to estimate releases because the variability in emissions from manure management systems has slowed the development of universally applicable methodologies for estimating these releases. However, to help farmers comply with the Court's requirement, EPA has made resources available on its website which may be helpful in estimating emissions. Farmers may also use other models in estimating emissions. Estimated quantities of releases by farmers can be based on: past release data; engineering estimates; their knowledge of the facility's operations and release history; or their best professional judgment. Monitoring data is not required. Farmers should keep a copy of the calculation for future reference. For more information, please see the Resources link at: <https://www.epa.gov/animalwaste>

- **Revision:** Due to a recent Court action, many farms with animal operations (which includes ranches and livestock/poultry operations) will need to report emissions from animal waste as early as May 1. Two environmental laws, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA), require any facility to report releases of hazardous substances if the releases exceed a reportable quantity in a 24-hour period. In 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substances from animal waste under CERCLA and only subjected large concentrated animal feeding operations (CAFOs) to EPCRA reporting. The primary rationale for the final rule was the fact that, although the purpose of the notifications is to evaluate the need for an emergency response, EPA had not initiated any responses to air releases from animal waste, and EPA could not foresee a circumstance where such a release would trigger a response. Citizen groups challenged the validity of EPA's rule, and the U.S. Court of Appeals for the DC Circuit struck down EPA's rule on April 11, 2017, eliminating the exemptions for farms. EPA sought and was

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Widget

- **Current:** Due to a recent court action, many farms with animal operations will be required to report emissions from animal waste as early as January 22.
- **Revision:** Due to a recent court action, many farms with animal operations will be required to report emissions from animal waste as early as May 1.

Latosha Thomas
U.S. Environmental Protection Agency
OLEM/OEM/RMD
(202) 564-2621 (desk)

Cellular Phone / Ex. 6

thomas.latosha@epa.gov

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 10/26/2017 7:00:31 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]
CC: Breen, Barry [Breen.Barry@epa.gov]
Subject: RE: CERCLA/ EPCRA Conference Call

I can participate if you provide the call information

From: Bennett, Tate
Sent: Thursday, October 26, 2017 2:47 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>
Subject: CERCLA/ EPCRA Conference Call

OPE and OLEM have organized a conference call with the following groups invited at 3. Jeff, they are sending you the invite info. RJ/Liz- let me know if you want in as well.

Jeff- this should take care of our outreach should there be a high turnout of the below groups. If that isn't the case, I will circle back with you.

Dairy Farmers of America
Dairy Management Inc.
National Cattlemen's Beef Association
American Farm Bureau Federation

National Milk Producers Federation
National Chicken Council
National Turkey Federation
National Pork Board
National Pork Producers Council
United Egg Producers
US Poultry and Egg Association
Arizona Cattle Growers Association
Mid-Atlantic Dairy Association
Nisei Farmers League
Innovation Center for US Dairy
Agricultural Retailers Association (ARA)
Seaboard Farms
Tyson Foods

Message

From: Davis, Patrick [davis.patrick@epa.gov]
Sent: 8/3/2017 7:56:21 PM
To: Fotouhi, David [fotouhi.david@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]
CC: Brooks, Becky [Brooks.Becky@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Hill, Teresa [Hill.Teresa@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: RE: Follow up Meeting with Animal Agriculture Group on EPCRA / CERCLA

Thank you, David.

Deliberative Process / Ex. 5

Thanks,

Patrick Davis
Environmental Protection Agency
Deputy Assistant Administrator, Office of Land and Emergency Management
202-564-3103 office

Personal Phone / Ex. 6

Information sent to this email address may be subject to FOIA.

From: Fotouhi, David
Sent: Thursday, August 3, 2017 1:03 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Davis, Patrick <davis.patrick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Hill, Teresa <Hill.Teresa@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>
Subject: Re: Follow up Meeting with Animal Agriculture Group on EPCRA / CERCLA

Attorney Client / Ex. 5

Sent from my iPhone

On Aug 1, 2017, at 9:03 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Hey- I need to touch base with these folks at some point regardless and it can be within this context or another. Is there much of an update?

Sent from my iPhone

On Aug 1, 2017, at 8:19 PM, Davis, Patrick <davis.patrick@epa.gov> wrote:

Reggie, David and Tate,

Are we ready to meet with these groups, yet to discuss the EPCRA reporting compliance guidance?

Thanks,

Patrick Davis
Environmental Protection Agency
Deputy Associate Administrator, Office of Land and Emergency Management
202-564-3103 office
202-380-8341 cell

Information sent to this email address may be subject to FOIA.

Sent from my iPad

On Aug 1, 2017, at 1:37 PM, Brooks, Becky <Brooks.Becky@epa.gov> wrote:

Patrick/Reggie – Please see the email trail below. Was a commitment made at the July 11 meeting w/these folks to meet again in August?

*Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762*

From: Hill, Teresa
Sent: Tuesday, August 01, 2017 3:25 PM
To: Dominguez, Alexander <dominguez.alexander@epa.gov>; Patrick, Monique <Patrick.Monique@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: RE: Follow up Meeting with Animal Agriculture Group on EPCRA / CERCLA

Thanks Alexander

Looping in the special assistant in OLEM

From: Dominguez, Alexander
Sent: Tuesday, August 01, 2017 3:23 PM
To: Hill, Teresa <Hill.Teresa@epa.gov>; Patrick, Monique <Patrick.Monique@epa.gov>
Subject: FW: Follow up Meeting with Animal Agriculture Group on EPCRA / CERCLA

Hey all – As the email chain motions, there was a previous meeting on this issue Tuesday, July 11 at 1:00PM that both Justin and David attended. Mandy was also at the meeting but asked me to forward this request to you all since it is more in Justin and David's wheelhouse and she will not be injecting herself into this issue. Any questions just let me know.

Alex

Alex Dominguez

*Policy Analyst to the Senior Advisors to
the Administrator for Air and Water*
U.S. Environmental Protection Agency

From: Christian Richter [<mailto:crichter@thepolicygroup.com>]
Sent: Tuesday, August 1, 2017 12:47 PM
To: Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: Follow up Meeting with Animal Agriculture Group on EPCRA / CERCLA

Hello Alex:

Hope you're well lately. I wanted to follow up on our earlier discussions and see if we might consider a date for next meeting with animal agriculture representatives.

Would next week either August 10th or 11th be workable?

Best,

Christian

From: Christian Richter
Sent: Monday, July 10, 2017 6:44 AM
To: Dominguez, Alexander
Cc: Christian Richter
Subject: 2 additional attendees | Re: Preparation for Animal Agriculture Meeting on July 11 @ 1:00 pm ET at EPA

Alex:

in addition to those names I have already sent over, we will have two additional industry participants for tomorrow's meeting (July 11th at 1:00 pm @ EPA):

Jamie Jonker, National Milk Producers Federation
Lisa Van Doren, National Council of Farmer Cooperatives

Thanks very much.

Best regards,

Christian

From: Christian Richter
Sent: Friday, July 7, 2017 7:23:54 AM
To: Dominguez, Alexander
Subject: Re: Preparation for Animal Agriculture Meeting on July 11 @ 1:00 pm ET at EPA

Hello Alex:

Please see list of attendees for next Tuesday's meeting:

Paul Bredwell, US Poultry & Egg Association
Michael Formica, National Pork Producers Council
Tom Hebert, United Egg Producers
Christian Richter, US Poultry & Egg Association / National Turkey Federation
Andrew Walmsley, American Farm Bureau Federation
Scott Yager, National Cattlemen's Beef Association

We may have one other colleague joining from the the National Milk Producers Federation, and will confirm shortly.

Best regards,

Christian
U.S. Poultry & Egg Association
National Turkey Federation

The Policy Group
1800 M Street NW
Suite 400 South
Washington, DC 20036
(202) 257-0250 direct
crichter@thepolicygroup.com

From: Dominguez, Alexander <dominguez.alexander@epa.gov>
Sent: Thursday, July 6, 2017 7:30:57 AM
To: Christian Richter
Subject: RE: Preparation for Animal Agriculture Meeting on July 11 @ 1:00 pm ET at EPA

Thank you for the document Christian. You should have just received the calendar invite. Once you get the attendees just send that over and we'll be all set.

Alex

Alex Dominguez

*Policy Analyst to the Senior Advisors to
the Administrator for Air and Water
U.S. Environmental Protection Agency*

From: Christian Richter [<mailto:crichter@thepolicygroup.com>]
Sent: Wednesday, July 5, 2017 10:01 AM
To: Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: Preparation for Animal Agriculture Meeting on July 11 @ 1:00 pm ET at EPA

Hello Alex:

In preparation for our meeting with Mandy and others next Tuesday, July 11, we will send over by later this afternoon or tomorrow morning a list of attendees and materials.

One highly pertinent and timely item of which Mandy should be aware is Tuesday's (July 3) DC Circuit's denial of the industry's petition for a rehearing of the court's earlier decision on the agency's EPCRA/CERCLA reporting exemption. The 1-page order is attached for reference.

We will send along agenda items along with participant names in the meantime and confirm final details.

If you or Mandy have any questions in the meantime, please reach me.

Best regards,

Christian Richter
*U.S. Poultry & Egg Association
National Turkey Federation*

The Policy Group
1800 M Street NW
Suite 400 South
Washington, DC 20036
(202) 257-0250 direct
crichter@thepolicygroup.com

Message

From: Fotouhi, David [Fotouhi.David@epa.gov]
Sent: 10/26/2017 3:59:22 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Dravis, Samantha [dravis.samantha@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]
CC: Bolen, Brittany [bolen.brittany@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; Ringel, Aaron [ringel.aaron@epa.gov]
Subject: RE:

Attorney Client / Ex. 5

David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Bennett, Tate
Sent: Thursday, October 26, 2017 11:48 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Bolen, Brittany <bolen.brittany@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>
Subject: RE:

Roping in OCIR who might want to reach out to members of congress who have been more vocal on this as well. Might be helpful in controlling the message. Below are David F's talking points.

Attorney Client / Ex. 5

Attorney Client / Ex. 5

From: Bowman, Liz

Sent: Thursday, October 26, 2017 11:27 AM

To: Dravis, Samantha <dravis.samantha@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>

Cc: Bolen, Brittany <bolen.brittany@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>

Subject: RE:

Well the staff just put out the press release, so it appears to be out.

From: Dravis, Samantha

Sent: Thursday, October 26, 2017 11:05 AM

To: Jackson, Ryan <jackson.ryan@epa.gov>

Cc: Bolen, Brittany <bolen.brittany@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE:

Not to my knowledge. We just heard on a call with Rosario 10 minutes ago that OMB had concluded review, so I think the next step is on our end.

From: Jackson, Ryan

Sent: Thursday, October 26, 2017 11:01 AM

To: Dravis, Samantha <dravis.samantha@epa.gov>

Cc: Bolen, Brittany <bolen.brittany@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE:

Is it released and online?

I'd really like to coordinate this with ag groups so it's coordinated.

From: Dravis, Samantha

Sent: Thursday, October 26, 2017 10:59 AM

To: Jackson, Ryan <jackson.ryan@epa.gov>

Cc: Bolen, Brittany <bolen.brittany@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Re:

It did yes

Sent from my iPhone

On Oct 26, 2017, at 10:58 AM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

I wanted to see if the Q&A on the CERCLA / EPCRA reporting has come out of OMB. Thanks.

Ryan Jackson

Chief of Staff

U.S. Environmental Protection Agency

Personal Phone / Ex. 6

Message

From: Davis, Patrick [davis.patrick@epa.gov]
Sent: 8/2/2017 3:47:57 PM
To: Cheatham, Reggie [cheatham.reggie@epa.gov]
CC: Brooks, Becky [Brooks.Becky@epa.gov]; Hill, Teresa [Hill.Teresa@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Fotouhi, David [fotouhi.david@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]
Subject: Re: Follow up Meeting with Animal Agriculture Group on EPCRA / CERCLA

Thank you.

Patrick Davis
Environmental Protection Agency
Deputy Associate Administrator, Office of Land and Emergency Management
202-564-3103 office
202-380-8341 cell

Information sent to this email address may be subject to FOIA.

Sent from my iPad

On Aug 2, 2017, at 6:27 AM, Cheatham, Reggie <cheatham.reggie@epa.gov> wrote:

Patrick

We would be ready to discuss what is in our control but we are still awaiting OARs compendium for emissions estimates...looping in Kim.

Thanks

Reggie Cheatham, Director
Office of Emergency Management, USEPA
202.564.8003 (O); 202.689.9400 (M);
cheatham.reggie@epa.gov
Doris Williams, Executive Assistant
202.564.0053

From: Davis, Patrick
Sent: Tuesday, August 01, 2017 8:19 PM
To: Brooks, Becky <Brooks.Becky@epa.gov>
Cc: Cheatham, Reggie <cheatham.reggie@epa.gov>; Hill, Teresa <Hill.Teresa@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Fotouhi, David <fotouhi.david@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Follow up Meeting with Animal Agriculture Group on EPCRA / CERCLA

Reggie, David and Tate,

Are we ready to meet with these groups, yet to discuss the EPCRA reporting compliance guidance?

Thanks,

Patrick Davis
Environmental Protection Agency
Deputy Associate Administrator, Office of Land and Emergency Management
202-564-3103 office
202-380-8341 cell

Information sent to this email address may be subject to FOIA.

Sent from my iPad

On Aug 1, 2017, at 1:37 PM, Brooks, Becky <Brooks.Becky@epa.gov> wrote:

Patrick/Reggie – Please see the email trail below. Was a commitment made at the July 11 meeting w/these folks to meet again in August?

*Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762*

From: Hill, Teresa
Sent: Tuesday, August 01, 2017 3:25 PM
To: Dominguez, Alexander <dominguez.alexander@epa.gov>; Patrick, Monique <Patrick.Monique@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: RE: Follow up Meeting with Animal Agriculture Group on EPCRA / CERCLA

Thanks Alexander

Looping in the special assistant in OLEM

From: Dominguez, Alexander
Sent: Tuesday, August 01, 2017 3:23 PM
To: Hill, Teresa <Hill.Teresa@epa.gov>; Patrick, Monique <Patrick.Monique@epa.gov>
Subject: FW: Follow up Meeting with Animal Agriculture Group on EPCRA / CERCLA

Hey all – As the email chain motions, there was a previous meeting on this issue Tuesday, July 11 at 1:00PM that both Justin and David attended. Mandy was also at the meeting but asked me to forward this request to you all since it is more in Justin and David's wheelhouse and she will not be injecting herself into this issue. Any questions just let me know.

Alex

Alex Dominguez
*Policy Analyst to the Senior Advisors to
the Administrator for Air and Water
U.S. Environmental Protection Agency*

From: Christian Richter [<mailto:crichter@thepolicygroup.com>]
Sent: Tuesday, August 1, 2017 12:47 PM
To: Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: Follow up Meeting with Animal Agriculture Group on EPCRA / CERCLA

Hello Alex:

Hope you're well lately. I wanted to follow up on our earlier discussions and see if we might consider a date for next meeting with animal agriculture representatives.

Would next week either August 10th or 11th be workable?

Best,

Christian

From: Christian Richter
Sent: Monday, July 10, 2017 6:44 AM
To: Dominguez, Alexander
Cc: Christian Richter
Subject: 2 additional attendees | Re: Preparation for Animal Agriculture Meeting on July 11 @ 1:00 pm ET at EPA

Alex:

in addition to those names I have already sent over, we will have two additional industry participants for tomorrow's meeting (July 11th at 1:00 pm @ EPA):

Jamie Jonker, National Milk Producers Federation
Lisa Van Doren, National Council of Farmer Cooperatives

Thanks very much.

Best regards,

Christian

From: Christian Richter
Sent: Friday, July 7, 2017 7:23:54 AM
To: Dominguez, Alexander
Subject: Re: Preparation for Animal Agriculture Meeting on July 11 @ 1:00 pm ET at EPA

Hello Alex:

Please see list of attendees for next Tuesday's meeting:

Paul Bredwell, US Poultry & Egg Association
Michael Formica, National Pork Producers Council
Tom Hebert, United Egg Producers
Christian Richter, US Poultry & Egg Association / National Turkey Federation
Andrew Walmsley, American Farm Bureau Federation
Scott Yager, National Cattlemen's Beef Association

We may have one other colleague joining from the the National Milk Producers Federation, and will confirm shortly.

Best regards,

Christian
U.S. Poultry & Egg Association
National Turkey Federation

The Policy Group
1800 M Street NW
Suite 400 South
Washington, DC 20036
(202) 257-0250 direct
crichter@thepolicygroup.com

From: Dominguez, Alexander <dominguez.alexander@epa.gov>
Sent: Thursday, July 6, 2017 7:30:57 AM
To: Christian Richter
Subject: RE: Preparation for Animal Agriculture Meeting on July 11 @ 1:00 pm ET at EPA

Thank you for the document Christian. You should have just received the calendar invite. Once you get the attendees just send that over and we'll be all set.

Alex

Alex Dominguez
Policy Analyst to the Senior Advisors to
the Administrator for Air and Water
U.S. Environmental Protection Agency

From: Christian Richter [<mailto:crichter@thepolicygroup.com>]
Sent: Wednesday, July 5, 2017 10:01 AM
To: Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: Preparation for Animal Agriculture Meeting on July 11 @ 1:00 pm ET at EPA

Hello Alex:

In preparation for our meeting with Mandy and others next Tuesday, July 11, we will send over by later this afternoon or tomorrow morning a list of attendees and materials.

One highly pertinent and timely item of which Mandy should be aware is Tuesday's (July 3) DC Circuit's denial of the industry's petition for a rehearing of the court's earlier decision on the agency's EPCRA/CERCLA reporting exemption. The 1-page order is attached for reference.

We will send along agenda items along with participant names in the meantime and confirm final details.

If you or Mandy have any questions in the meantime, please reach me.

Best regards,

Christian Richter
U.S. Poultry & Egg Association
National Turkey Federation

The Policy Group
1800 M Street NW
Suite 400 South
Washington, DC 20036
(202) 257-0250 direct
crichter@thepolicygroup.com

Message

From: Dewey, Amy [Dewey.Amy@epa.gov]
Sent: 10/26/2017 3:40:31 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: RE: EPA Releases Guidance on Reporting Air Emissions of Hazardous Substances from Animal Waste at Farms

OK, got it!

From: Bennett, Tate
Sent: Thursday, October 26, 2017 11:09 AM
To: Dewey, Amy <Dewey.Amy@epa.gov>
Subject: FW: EPA Releases Guidance on Reporting Air Emissions of Hazardous Substances from Animal Waste at Farms

DO NOT send this out yet please.

From: EPA Press Office [<mailto:noreply-subscriptions@epa.gov>]
Sent: Thursday, October 26, 2017 11:06 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EPA Releases Guidance on Reporting Air Emissions of Hazardous Substances from Animal Waste at Farms



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

CONTACT: press@epa.gov

EPA Releases Guidance on Reporting Air Emissions of Hazardous Substances from Animal Waste at Farms

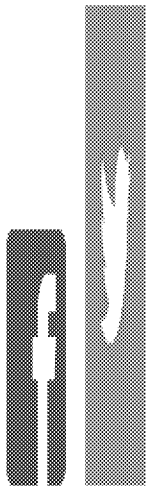
WASHINGTON (October 25, 2017) — Today, EPA is releasing guidance to assist farmers in reporting air releases of hazardous substances from animal waste at farms. EPA is making this information available to provide time for farmers to review and prepare for the reporting deadline, currently set for November 15, 2017

“EPA is working diligently to address undue regulatory burden on American farmers,” **said Administrator Scott Pruitt**. “While we continue to examine our options for reporting requirements for emissions from animal waste, EPA’s guidance is designed to help farmers comply with the current requirements.”

On December 18, 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substances from animal waste. On April 11, 2017, the DC Circuit Court vacated this final rule. In response to a request from EPA, the DC Circuit Court extended the date by which farms must begin reporting these releases to November 15, 2017. Unless the court further delays this date, all farms (including those previously exempted) that have releases of hazardous substances to air from animal wastes equal to or greater than the reportable quantities for those hazardous substances within any 24-hour period must provide notification of such releases.

The EPA guidance information includes links to resources that farmers can use to calculate emissions tailored to specific species of livestock. To view EPA's guidance and Frequently Asked Questions on reporting air emissions from animal waste: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>.

EPA will revise this guidance, as necessary, to reflect additional information to assist farm owners and operators to meet reporting obligations. Interested parties may submit comments or suggestions by November 24, 2017.



Visit the EPA's
Newsroom

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking [here](#).
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Davis, Patrick [davis.patrick@epa.gov]
Sent: 8/2/2017 12:33:11 PM
To: Cheatham, Reggie [cheatham.reggie@epa.gov]
CC: Brooks, Becky [Brooks.Becky@epa.gov]; Hill, Teresa [Hill.Teresa@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Fotouhi, David [fotouhi.david@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]
Subject: Re: Follow up Meeting with Animal Agriculture Group on EPCRA / CERCLA

Thank you.

Patrick Davis
Environmental Protection Agency
Deputy Associate Administrator, Office of Land and Emergency Management
202-564-3103 office
202-380-8341 cell

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Cellular Phone / Ex. 6

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Scott Yager, National Cattlemen's Beef Association

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U.S. Poultry & Egg Association
National Turkey Federation

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Policy Analyst to the Senior Advisors to
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U.S. Environmental Protection Agency

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U.S. Poultry & Egg Association
National Turkey Federation

The Policy Group
1800 M Street NW
Suite 400 South
Washington, DC 20036
(202) 257-0250 direct
crichter@thepolicygroup.com

Message

From: Zach Riley [zach@coloradofb.org]
Sent: 1/30/2018 4:54:10 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Re: EPA Filed a Motion to Further Delay Issuance of the Mandate Re: Reporting Requirements for Farms Under CERCLA/EPCRA

Good morning,

I was hoping you might be able to provide me an update as to the status of this extension being granted or not?

Thanks,

Zach Riley
CFB

On Mon, Jan 22, 2018 at 11:38 AM Bennett, Tate <Bennett.Tate@epa.gov> wrote:

All-

Thanks for participating in last week's call.

As of this time, the D.C. Circuit Court of Appeals has not yet issued the mandate to eliminate the EPA administrative reporting exemption on the CERCLA/EPCRA reporting requirements for farms.

On Friday, January 19, 2018, EPA filed a motion with the D.C. Circuit Court of Appeals to further delay issuance of the mandate by three months. EPA is requesting that the Court give time to allow EPA to further revise the guidance to be more effective in assisting farms with coming into compliance, to conduct outreach to ensure farms with limited or no internet access are aware of the reporting requirements, and to finish developing the streamlined continuous reporting form. Once the court issues the mandate the statutory reporting requirements will go back into effect.

We have updated the www.epa.gov/animalwaste with the following message:

On Friday, January 19, 2018, EPA filed a motion with the D.C. Circuit Court of Appeals to further delay issuance of the mandate. No reporting is required until the Court issues its order, or mandate, enforcing its decision to eliminate the reporting exemptions for farms. EPA will be updating this page daily to provide information on the court mandate.

We will continue to update you when we hear news on the request to further delay the mandate.

Best.

Tate

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

Message

From: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Sent: 1/23/2018 12:55:10 AM
To: Bennett, Tate [Bennett.Tate@epa.gov]
CC: Hupp, Millan [hupp.millan@epa.gov]; Ford, Hayley [ford.hayley@epa.gov]; Kunding, Kelly [kunding.kelly@epa.gov]; McMurray, Forrest [mcmurray.forrest@epa.gov]; Gordon, Stephen [gordon.stephen@epa.gov]
Subject: Re: Memo for Lunch Tomorrow

We can add them in the am

Sent from my iPhone

On Jan 22, 2018, at 7:35 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Too late to add these talkers?

WPS

- On December 14, 2017 EPA initiated a process to revise the ***minimum age, designated representative, and application exclusion zone***. By the end of fiscal year 2018, EPA expects to publish a Notice of Proposed Rulemaking to solicit public input on proposed revisions to the WPS requirements on those same three provisions. Updated Application Exclusion Zone guidance to further clarify what is required of applicators will be available to the public starting today. Original implementation dates remain in effect.

Certified Applicator Training

- EPA has initiated a process to revise the ***minimum age*** requirements in the C&T rule. EPA expects to publish a Notice of Proposed Rulemaking to solicit public input on proposed revisions to the rule by the end of FY2018. Original implementation dates will remain in effect.

CERCLA/EPCRA Reporting

- Due to a recent court decision, animal ag producers will have to begin reporting emissions from releases of hydrogen sulfide and ammonia as soon as January 22, 2018. The court vacated EPA's 2008 rule that exempted producers from having to report their emissions under CERCLA/EPCRA. EPA has taken the following actions in relation to this reporting requirement.
 - o On Friday, January 19, EPA filed a motion for further delay in issuance of the mandate for CERCLA reporting
 - o Exempted most farms from reporting under EPCRA due to usage of substances in "routine agricultural operations"
 - o EPA is examining long term regulatory options with regards to CERCLA reporting
 - o EPA has conducted outreach through fact sheets, online guidance, PSA for radio, and hosting calls with program office staff. Notably, EPA held a call with American Farm Bureau and state affiliates on January 22 to further educate producers the reporting requirement.

On Jan 22, 2018, at 7:10 PM, Ferguson, Lincoln <ferguson.lincoln@epa.gov> wrote:

Thanks. Forrest got this in the binder.

Sent from my iPhone

On Jan 22, 2018, at 7:06 PM, Hupp, Millan <hupp.millan@epa.gov> wrote:

Thank you Stephen.

Millan Hupp
Director for Scheduling and Advance
202.380.7561
hupp.millan@epa.gov

Sent from my iPhone

On Jan 22, 2018, at 4:09 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Shout out to Stephen who drafted it initially and did all the leg work.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement &
Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

<memo.Zippy Duvall Bio.docx>

From: Davis, Patrick [davis.patrick@epa.gov]
Sent: 7/19/2017 3:08:00 PM
To: Taylor, Trish [Taylor.Trish@epa.gov]
CC: Breen, Barry [Breen.Barry@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Klinger, Adam [Klinger.Adam@epa.gov]; Harwood, Jackie [Harwood.Jackie@epa.gov]; Cohen, Nancy [Cohen.Nancy@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Fotouhi, David [fotouhi.david@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Clark, Becki [Clark.Becki@epa.gov]
Subject: Re: EPA wants 6 months to comply with CAFO court decision

Please include Tate Bennett, Reggie Cheatham, Becki Clark and David Fotouhi in clips about this issue.

Sent from my iPad

On Jul 18, 2017, at 3:01 PM, Taylor, Trish <Taylor.Trish@epa.gov> wrote:

This is from Greenwire.

AGRICULTURE

EPA wants 6 months to comply with CAFO court decision

Amanda Reilly, E&E News reporter

Published: Tuesday, July 18, 2017 <image001.jpg>

U.S. EPA has asked a federal appeals court for a six-month delay in complying with a court decision that tossed out a George W. Bush-era rule exempting animal feeding operations from reporting pollution discharges. U.S. Geological Survey/Wikipedia

The Trump administration is seeking a six-month delay in complying with a recent court decision tossing out a George W. Bush-era rule exempting livestock operations from certain pollution reporting requirements.

U.S. EPA yesterday asked the U.S. Court of Appeals for the District of Columbia Circuit to stay the mandate it issued in the case until at least mid-January.

Since the April court decision, many livestock operations have asked the agency for help in figuring out how to report emissions, the agency told the court.

"Thousands of small- and medium-sized farms that were exempt from the reporting requirements for almost a decade must suddenly come into compliance," EPA told the court.

"Allowing EPA time to develop guidance will aid these farms in complying with the reporting requirements," EPA said in its [motion](#).

Advertisement

The request comes days after a panel of the same court granted EPA a limited, two-week delay in complying with its finding that the Trump administration didn't have the authority to delay Obama-era methane standards for the oil and gas industry ([E&E News PM](#), July 13).

At issue in the livestock case is a rule that EPA adopted in December 2008 exempting all animal feeding operations from reporting releases of hazardous air pollution from animal waste under the Comprehensive Environmental Response, Compensation and Liability Act.

Typically, facilities covered by CERCLA have to report discharges of pollutants above certain thresholds to a national response center.

EPA's rule also exempted all but large concentrated animal feeding operations, or CAFOs, from reporting emissions to local and state emergency officials under the Emergency Planning and Community Right-to-Know Act.

The Waterkeeper Alliance, the Humane Society of the United States and other environmental groups filed the lawsuit, arguing that the rule put citizens at risk of breathing harmful ammonia and hydrogen sulfide.

In April, a three-judge panel of the D.C. Circuit tossed out the rule, finding that lawmakers never intended to give EPA the authority to exclude those operations.

Congress didn't "give the agency carte blanche to ignore the statute whenever it decides the reporting requirements aren't worth the trouble," Judge Stephen Williams, a Reagan appointee, wrote for the court (*Greenwire*, April 11).

The court has since denied a request from the pork and poultry industries to rehear the case. Last week, the D.C. Circuit issued its mandate cementing the decision.

In its motion to the court, EPA argued that there was "good cause" to stay the mandate.

Measuring air emissions from animal feeding operations "can be difficult for a number of reasons," EPA said. The agency said it has begun to develop guidance for operations, but it'll be another six months before that guidance is complete.

"Thus, a stay of the issuance of the mandate for six months, or until January 17, 2018, while EPA develops this guidance is reasonable to help avoid disruption and ease the transition for farms," the agency's motion said.

EPA also hinted that it may explore other means of getting rid of the reporting obligations for livestock producers.

"EPA also intends to explore possible regulatory or other administrative approaches to address these reporting obligations," according to the court filing.

The environmental groups oppose the motion, while livestock industry groups support it.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/28/2017 8:30:12 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Sands, Jeffrey [sands.jeffrey@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]
Subject: Re: For Approval: Updated CERCLA Release

Perfect

On Nov 28, 2017, at 3:08 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

I think this looks good now; does this work for you all? Please let me know if you have any last edits. If not, we will get this tee'd up and ready to go out shortly. Thank you – Liz

DC Circuit Court Grants Trump EPA Request to Extend Deadline for Farmers to Report Emissions from Livestock Operations

(WASHINGTON) — On Wednesday, November 22, 2017, in response to a request from the Trump administration EPA, the DC Circuit Court of Appeals effectively extended the deadline for farmers to report air releases of hazardous substances from animal waste at livestock operations until January 22, 2018. The decision postponed the effective date of the Court's April 2017 decision vacating an EPA rule that exempted these farms from certain statutory reporting obligations.

"EPA is committed to providing America's farmers and ranchers – people committed to conserving the land and the environment- the clarity needed in meeting their reporting obligations required by law," said **EPA Administrator Scott Pruitt**.

Under the Trump Administration, EPA sought this additional time in order to provide compliance assistance to farmers, update its guidance, and develop a more-streamlined reporting form. With the Court's decision, farmers are not required to report emissions from animal waste at these facilities until after the Court issues its mandate, expected no sooner than January 22, 2018.

Background:

On April 11, 2017, the DC Circuit Court vacated an EPA rule finalized on December 18, 2008, that exempted most farms from certain release reporting requirements in two statutes, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right to Know Act (EPCRA).

In response to a request from the Trump Administration EPA, the DC Circuit Court extended the effective date of its decision to vacate the 2008 rule to November 15, 2017. In response to a second request from the current administration EPA, the DC Circuit Court further extended that date to January 22, 2018. As such, farmers now do not need to report emissions under CERCLA until January 22, 2018 at the earliest when the D.C. Circuit Court is expected to issue its mandate.

EPA has prepared guidance that includes links to resources that farmers can consider when calculating emissions for specific species of livestock.

To view EPA's guidance and Frequently Asked Questions on reporting air emissions from animal waste: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>.

###

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/9/2018 8:05:40 PM
To: Palich, Christian [palich.christian@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]
Subject: FW: Review Requested - Senators' Letter on CERCLA/EPCRA Reporting
Attachments: AL 18 000 2865 Draft Reply 1-4-2018 v5 CLEAN 1-5-18 spb edits.docx

Glad she's on the same page! I thought we were going to add that language??

From: Bodine, Susan
Sent: Tuesday, January 9, 2018 2:59 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>; Palich, Christian <palich.christian@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Review Requested - Senators' Letter on CERCLA/EPCRA Reporting

Can we put it on them to find a solution?

From: Sands, Jeffrey
Sent: Friday, January 5, 2018 5:12 PM
To: Bodine, Susan <bodine.susan@epa.gov>; Palich, Christian <palich.christian@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: Review Requested - Senators' Letter on CERCLA/EPCRA Reporting

All,

Just received this note and wanted to be sure that you saw this draft response to the Senate from OLEM. Any thoughts feedback you would have are appreciated.

Have a nice weekend.

Best,
Jeff

From: Harwood, Jackie
Sent: Friday, January 5, 2018 4:19 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>
Subject: Review Requested - Senators' Letter on CERCLA/EPCRA Reporting

Hi Tate and Jeff,

Attached is a letter the Administrator received from a bipartisan group of 11 Senators from states where poultry farming is a key part of the economy. In the letter they expressed concerns they have heard from farmers in their states on the new EPCRA/CERCLA reporting requirements and EPA's guidance, and asked us to respond to four questions. I've attached what OLEM has developed so far in response to this letter—Barry Breen and OEM asked that I pass it on to you to review before we move it forward.

We understand from OCIR that Troy Lyons would like the Agency to respond to the Senators' letter as soon as possible, due to the Administrator's testimony before the Senate Environment and Public Works Committee at the end of the month. We would be grateful if you could get back to us with your thoughts and/or edits.

Please let me know if you have any questions or concerns about this.

Thank you.

Jackie

Jackie Harwood
OLEM Congressional, State, and Local Liaison
OCPA/Office of Land and Emergency Management (OLEM)
U.S. Environmental Protection Agency
(202) 564-7578
Follow OLEM on Twitter: @EPALand

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/18/2018 3:14:50 PM
To: Thomas, Latosha [Thomas.Latosha@epa.gov]
Subject: RE: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

We can get them the MP3 afterwards but we only have 100 lines and staff can't take up that many. Sorry.

From: Thomas, Latosha
Sent: Thursday, January 18, 2018 8:48 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Importance: High

Hi Tate,

Could you make certain that all of the folks below get the email so they can participate/listen in on Friday? These are the participants for weekly ag advisor calls. Thanks!

Nitsch, Chad <Nitsch.Chad@epa.gov>; Culver, Edison <culver.edison@epa.gov>; Gill, Sonam <Gill.Sonam@epa.gov>; Brennan, Ross <Brennan.Ross@epa.gov>; Mitschele, Becky <Mitschele.Becky@epa.gov>; Staniec, Carol <staniec.carol@epa.gov>; LEVIN, NANCY <Levin.Nancy@epa.gov>; Magnan, Eric <Magnan.Eric@epa.gov>; Mortensen, Ginah <mortensen.ginah@epa.gov>; Miller, Amy <Miller.Amy@epa.gov>; Heinemann, Kristina <Heinemann.Kristina@epa.gov>; Shenk, Kelly <shenk.kelly@epa.gov>; Peak, Nicholas <Peak.Nicholas@epa.gov>; Galloway, Carol <Galloway.Carol@epa.gov>; Dunkins, Robin <Dunkins.Robin@epa.gov>; Pierce, Troy <Pierce.Troy@epa.gov>; Anderson-Carnahan, Linda <Anderson-Carnahan.Linda@epa.gov>; Winn, G. Dean <winn.gerald@epa.gov>; Carbone, Chad <Carbone.Chad@epa.gov>; Edmondson, Lucy <Edmondson.Lucy@epa.gov>; Perrin, Rebecca <Perrin.Rebecca@epa.gov>; Segall, Martha <Segall.Martha@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Ziobro, Joseph <Ziobro.Joseph@epa.gov>; Rea, Anne <Rea.Anne@epa.gov>; Larsen, Erika <Larsen.Erika@epa.gov>; Rush, Randall <Rush.Randall@epa.gov>; Swackhammer, J-Troy <Swackhammer.J-Troy@epa.gov>; Flahive, Katie <Flahive.Katie@epa.gov>; Winnett, Steven <winnett.steven@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Robertson, Duane <Robertson.Duane@epa.gov>; Wirth, Karen <Wirth.Karen@epa.gov>; Sharpe, Kristinn <Sharpe.Kristinn@epa.gov>; Yin, Christina <Yin.Christina@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>

From: Bennett, Tate
Sent: Wednesday, January 17, 2018 6:04 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: UPDATE- EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Importance: High

All-

In order to accommodate additional phone lines, we will be updating the call-in information, including the phone number. Please be on the lookout for an e-mail from me with updated call-in information for Friday's call either tonight or tomorrow.

This call will still take place at the scheduled time, Friday, 1/19 at 1 PM Eastern.

Thanks for your patience.

Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

From: Bennett, Tate
Sent: Wednesday, January 17, 2018 2:29 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Importance: High

All—

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period.

As such, EPA invites you and your operation to learn more about the basis of this action via a phone briefing on Friday, 1/19, at 1 PM EASTERN TIME ZONE.

WHO: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS
WHEN: FRIDAY, JANUARY 19, 1PM EASTERN START TIME (feel free to dial in early around 12:50 PM Eastern). TBD
HOW: Conference Number / Ex. 6 —TBD

If you have any additional questions on this topic and for more information, please contact the Environmental Protection Agency via the information provided below:

- Visit www.epa.gov/animalwaste for guidance and access to the continuous release reporting forms
- Email comments or suggestions on guidance materials to: CERCLA103.guidance@epa.gov
- Regional Contacts: www.epa.gov/epcra/cr-erns-regional-contacts
- Call with questions: 1-800-424-9346

Please let us know if you have additional questions and we look forward to your joining the call on Friday.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/16/2018 11:37:00 PM
To: Thomas, Latosha [Thomas.Latosha@epa.gov]
CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Milbourn, Cathy [Milbourn.Cathy@epa.gov]
Subject: Re: Outreach Calls: Animal Waste

You rock! Thank you!

On Jan 16, 2018, at 6:35 PM, Thomas, Latosha <Thomas.Latosha@epa.gov> wrote:

Thanks. Nancy and I talked on the phone as I was hitting send. I plan to get in early tomorrow to deal with this immediately.

Latosha Thomas
U.S. Environmental Protection Agency
OLEM/OEM/RMD
(202) 564-2621(desk)
Cellular Phone / Ex. 6 {cell)
thomas.latosha@epa.gov

On Jan 16, 2018, at 6:27 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Disregard my last email as it sounds like this is doable. Would prefer Nancy's times she highlighted, however.

On Jan 16, 2018, at 5:49 PM, Thomas, Latosha <Thomas.Latosha@epa.gov> wrote:

Hi everyone,

As you know, we are hosting calls for our stakeholders that will be impacted by the new reporting requirements related to animal waste. Based on my discussions with many of you earlier, I wanted to make sure that I've captured everything in the outline below. In addition, let me know if the language that will be sent with the call invites is ok. Thanks!

Animal Waste Outreach Calls

Overview: EPA will host two (2) calls to notify stakeholders of the new requirements related to animal waste. The 1st call will include livestock trade associations + industry + state, local, tribal officials. The 2nd call will include actual members of the associations/organizations.

1st Call

When: Thursday (1/18) @10AM ET

Hosts: Patty Gioffre/Kim Jennings (OEM/RID)

Key Messages:

- Due to a recent court decision, farmers (including ranchers, livestock and/or animal operators) will soon be required to begin reporting emissions of hazardous substances from animal waste that are equal to or greater than a certain threshold when the court issues its mandate (January 22, 2017 or later).
- EPA has issued guidance that is available online to assist farmers in estimating their air releases and reporting under CERCLA for air releases of hazardous substances from animal waste at farms (EPA's website also contains EPA's preliminary interpretation of EPCRA to exclude farms that use substances in "routine agricultural operations" from reporting under EPCRA section 304).
- The Agency has provided outreach materials (PSA, social media, article, widget, etc.) that are available for your use and to help you get the word out about these new requirements.

Participants:

- Livestock Trade Associations
 - National Cattleman's Beef Association
 - Arizona Cattle Growers Association
 - National Chicken Council
 - National Council of Farmer Cooperatives
 - National Turkey Federation
 - US Poultry and Egg Association
 - United Egg Producers
 - National Pork Producers Council
 - National Pork Board
 - National Milk Producers Federation

- <!--[if !supportLists]--><!--[endif]-->Mid-Atlantic Dairy Association
- <!--[if !supportLists]--><!--[endif]-->Nisei Farmers League
- <!--[if !supportLists]--><!--[endif]-->Innovation Center for US Dairy
- <!--[if !supportLists]--><!--[endif]-->Dairy Farmers of America
- <!--[if !supportLists]--><!--[endif]-->Dairy Management Inc.
- <!--[if !supportLists]--><!--[endif]-->Livestock and Poultry Environmental Learning Center (extension agents at land grant universities)
- <!--[if !supportLists]--><!--[endif]-->Cornell PRO-DAIRY Program
- <!--[if !supportLists]--><!--[endif]-->Industry
 - <!--[if !supportLists]--><!--[endif]-->Seaboard Farms
 - <!--[if !supportLists]--><!--[endif]-->Tyson Foods
 - <!--[if !supportLists]--><!--[endif]-->National Association of State Title III Officials (NASTTPO), State Emergency Response Commissions (SERCs), Tribal Emergency Response Commissions (TERCs), Local Emergency Planning Committees (LEPCs)
 - <!--[if !supportLists]--><!--[endif]-->National Association of State Departments of Agriculture
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 - <!--[if !supportLists]--><!--[endif]-->American Farm Bureau Federation
- <!--[if !supportLists]--><!--[endif]-->Agricultural Retailers Association (ARA)
- <!--[if !supportLists]--><!--[endif]-->The Fertilizer Institute (TFI)
- <!--[if !supportLists]--><!--[endif]-->National Farmers Union
- <!--[if !supportLists]--><!--[endif]-->National Association of Conservation Districts (NACD)
- <!--[if !supportLists]--><!--[endif]-->Enviros/NGOs
 - <!--[if !supportLists]--><!--[endif]-->Sierra Club

2nd Call

When: Thursday (1/18) @2PM ET

Hosts: Tate Bennett (Patty Gioffre/Kim Jennings will participate for support)

Key Messages:

- <!--[if !supportLists]--><!--[endif]-->Due to a recent court decision, farmers (including ranchers, livestock and/or animal operators) will soon be required to begin reporting emissions of hazardous substances from animal waste that are equal to or greater than a certain threshold when the court issues its mandate (January 22, 2017 or later).
- <!--[if !supportLists]--><!--[endif]-->EPA has issued guidance that is available online to assist farmers in estimating their air releases and reporting under CERCLA for air releases of hazardous substances from animal waste at farms (EPA's website also contains EPA's preliminary interpretation of EPCRA to exclude farms that use substances in "routine agricultural operations" from reporting under EPCRA section 304).
- <!--[if !supportLists]--><!--[endif]-->The Agency has provided outreach materials (PSA, social media, article, widget, etc.) that are available for your use and to help you get the word out about these new requirements.

Participants: Actual members of the above associations/organizations/groups

Language to be sent with invites (+ attached comms materials)

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period. The purpose of this call is to provide an overview and basic information for our stakeholders who are impacted by this new requirement.

ACTIONS

- <!--[if !supportLists]--><!--[endif]-->OEM will send out invitations to participants of the 1st call
- <!--[if !supportLists]--><!--[endif]-->OPE will send out invitations to participants of the 2nd call
- <!--[if !supportLists]--><!--[endif]-->Latosha (OEM) will work with Cathy Milbourn (OPE) re: logistics for 2nd call*

*OEM should be able to handle the quantity of participants related to the 1st call since there will be less people.

Latosha Thomas
U.S. Environmental Protection Agency

OLEM/OEM/RMD
(202) 564-2621 (desk)
Cellular Phone / Ex. 6 (cell)
thomas.latosha@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/16/2018 11:16:55 PM
To: Thomas, Latosha [Thomas.Latosha@epa.gov]
CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Milbourn, Cathy [Milbourn.Cathy@epa.gov]; Nitsch, Chad [Nitsch.Chad@epa.gov]; Richardson, RobinH [Richardson.RobinH@epa.gov]; Levine, Carolyn [Levine.Carolyn@epa.gov]; Janifer, Pamela [Janifer.Pamela@epa.gov]
Subject: Re: Outreach Calls: Animal Waste

The invites need to go out first thing in the AM, so if is not doable we need to know now/tonight. Thoughts, Latosha?

On Jan 16, 2018, at 6:06 PM, Thomas, Latosha <Thomas.Latosha@epa.gov> wrote:

Thanks.

Cathy – Let's discuss logistics at 9AM tomorrow if you're free.

From: Grantham, Nancy
Sent: Tuesday, January 16, 2018 5:53 PM
To: Thomas, Latosha <Thomas.Latosha@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Outreach Calls: Animal Waste

Hi Latosha,

To summarize where we are in terms of calls for Thursday, 1/18 tomorrow:

11:00 a.m. est "leaderview" call with the trade groups – (# of lines?) OLEM will lead

12:30 p.m.est "leaderview" call with OPEE stakeholders (100 lines) – OPEE will lead

Tate has requested that we get the numbers and access codes for these calls asap so notification can be made asap tomorrow.

FYI – there will also be a 2 p.m. est call with NASDA tomorrow – Chad Nitsch is leading

Please let us know if you need any further information to make this happen.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Cellular Phone / Ex. 6 : **(mobile)**

From: Thomas, Latosha
Sent: Tuesday, January 16, 2018 5:49 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Outreach Calls: Animal Waste

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1st Call

When: Thursday (1/18) @10AM ET

Hosts: Patty Gioffre/Kim Jennings (OEM/RID)

Key Messages:

- <!--[if !supportLists]--><!--[endif]-->Due to a recent court decision, farmers (including ranchers, livestock and/or animal operators) will soon be required to begin reporting emissions of hazardous substances from animal waste that are equal to or greater than a certain threshold when the court issues its mandate (January 22, 2017 or later).
- <!--[if !supportLists]--><!--[endif]-->EPA has issued guidance that is available online to assist farmers in estimating their air releases and reporting under CERCLA for air releases of hazardous substances from animal waste at farms (EPA's website also contains EPA's preliminary interpretation of EPCRA to exclude farms that use substances in "routine agricultural operations" from reporting under EPCRA section 304).
- <!--[if !supportLists]--><!--[endif]-->The Agency has provided outreach materials (PSA, social media, article, widget, etc.) that are available for your use and to help you get the word out about these new requirements.

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 - <!--[if !supportLists]--><!--[endif]-->Arizona Cattle Growers Association
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 - <!--[if !supportLists]--><!--[endif]-->Innovation Center for US Dairy
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- <!--[if !supportLists]--><!--[endif]-->National Farmers Union
- <!--[if !supportLists]--><!--[endif]-->National Association of Conservation Districts (NACD)
- <!--[if !supportLists]--><!--[endif]-->Enviros/NGOs
 - <!--[if !supportLists]--><!--[endif]-->Sierra Club

2nd Call

When: Thursday (1/18) @2PM ET

Hosts: Tate Bennett (Patty Gioffre/Kim Jennings will participate for support)

Key Messages:

- <!--[if !supportLists]--><!--[endif]-->Due to a recent court decision, farmers (including ranchers, livestock and/or animal operators) will soon be required to begin reporting emissions of hazardous substances from animal waste that are equal to or greater than a certain threshold when the court issues its mandate (January 22, 2017 or later).
- <!--[if !supportLists]--><!--[endif]-->EPA has issued guidance that is available online to assist farmers in estimating their air releases and reporting under CERCLA for air releases of hazardous substances from animal waste at farms (EPA's website also contains EPA's preliminary interpretation of EPCRA to exclude farms that use substances in "routine agricultural operations" from reporting under EPCRA section 304).
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Participants: Actual members of the above associations/organizations/groups

Language to be sent with invites (+ attached comms materials)

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period. The purpose of this call is to provide an overview and basic information for our stakeholders who are impacted by this new requirement.

ACTIONS

- <!--[if !supportLists]--><!--[endif]-->OEM will send out invitations to participants of the 1st call
- <!--[if !supportLists]--><!--[endif]-->OPE will send out invitations to participants of the 2nd call
- <!--[if !supportLists]--><!--[endif]-->Latosha (OEM) will work with Cathy Milbourn (OPE) re: logistics for 2nd call*

*OEM should be able to handle the quantity of participants related to the 1st call since there will be less people.

Latosha Thomas
U.S. Environmental Protection Agency
OLEM/OEM/RMD
(202) 564-2621 (desk)
Cellular Phone / Ex. 6 (cell)
latosha.latosha@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/5/2018 6:47:26 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Brennan, Thomas [Brennan.Thomas@epa.gov]
Subject: RE: Latest materials ACTION CERCLA EPCRA Ag rule comms materials

Thank you for sharing!

From: Grantham, Nancy
Sent: Friday, January 5, 2018 1:09 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Brennan, Thomas <Brennan.Thomas@epa.gov>
Subject: FW: Latest materials ACTION CERCLA EPCRA Ag rule comms materials

FYI – these are the materials that Hema is reviewing now – thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Cellular Phone / Ex. 6 (mobile)

From: Grantham, Nancy
Sent: Friday, January 05, 2018 11:47 AM
To: Subramanian, Hema <Subramanian.Hema@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: FW: Latest materials ACTION CERCLA EPCRA Ag rule comms materials

Hi Hema,

I think you may be on a call now with USDA. When convenient, can you call me so we can discuss next steps?

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Cellular Phone / Ex. 6 (mobile)

From: Taylor, Trish
Sent: Friday, January 05, 2018 11:20 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Benjamin, Kent <Benjamin.Kent@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Roache, Brendan

<Roache.Brendan@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>

Subject: FW: ACTION CERCLA EPCRA Ag rule comms materials

Hi Nancy,

I just received an email from Kim Jennings letting me know that she is on the phone with the Ag Advisor and his office has agreed to her recent changes below, in red.

Thanks,
Trish

From: Jennings, Kim

Sent: Friday, January 05, 2018 11:07 AM

To: Taylor, Trish <Taylor.Trish@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Roache, Brendan <Roache.Brendan@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>

Cc: Benjamin, Kent <Benjamin.Kent@epa.gov>

Subject: RE: ACTION CERCLA EPCRA Ag rule comms materials

I am OK with the materials attached. Regarding the material below, in light of conversations yesterday, perhaps we should make the following edits to make clear this is not an EPA action or new regulation:

Facebook Posts for toolkit (non-EPA social media accounts)

- Due to a recent Court action, many farmers with animal operations will soon be required to report emissions from animal waste. Visit epa.gov/animalwaste or call 1-800-424-9346 for tools on the new requirement.
- EPA has provided guidance to help farmers with animal operations comply with reporting requirements under CERCLA and EPCRA. Visit epa.gov/animalwaste or call 1-800-424-9346 for more info.

Tweets for toolkit (non-EPA social media accounts)

- Visit epa.gov/animalwaste or call 1-800-424-9346 to get info about the new reporting requirements for farmers coming soon! #animalwaste
- #DYK EPA has guidance to help farmers with animal operations comply with reporting requirements under CERCLA & EPCRA? Visit epa.gov/animalwaste or call 1-800-424-9346. #animalwaste

Tweets for our EPA accounts (@EPA and @EPALand)

- Due to a recent Court action, many U.S. farms with animal operations will soon be required to report emissions from animal waste. To learn more, visit <https://www.epa.gov/animalwaste> or call 1-800-424-9346.
- Due to a recent Court action, many farms with animal operations will soon need to report emissions from animal waste. Online tools are available to livestock producers to determine if this requirement applies to them & help them comply with the law. <https://www.epa.gov/animalwaste>.

PSA Script

- *Due to a recent Court action, many farms with animal operations across the United States will soon be required to report emissions from animal waste.*
- *EPA had exempted most farms from this requirement under the EPCRA and CERCLA laws but due to a recent lawsuit, the courts eliminated this exemption.*

- *EPA has tools to help livestock producers determine if this requirement applies to their operations and help them comply with the law.*
- *To learn more visit epa.gov/animalwaste or call 1-800-424-9346.*

Widget Revised language: Air Emissions from Agriculture Due to a recent Court action, many farms with animal operations will soon be required to report emissions from animal waste. Learn about this requirement ([hyperlink](#)). Compliance assistance 800-424-9346.

The preferred version of the widget is the one with the EPA logo and barn image.

Kim Jennings
Division Director || Regulations Implementation Division
U.S. Environmental Protection Agency || Office of Emergency Management
E-mail: jennings.kim@epa.gov || Desk: (202) 564-7998 ||

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/21/2017 9:44:41 PM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
CC: Ford, Hayley [ford.hayley@epa.gov]; Hupp, Millan [hupp.millan@epa.gov]
Subject: CERCLA/EPCRA Memo
Attachments: MemoEPCRA-CERCLA Ag Reporting Req_Status 11-21-2017.docx

Please include for Michigan as well. So for Michigan, you will have:

- Pesticide Memo from Nancy around 1 PM today
- WPS Memo I just sent right before this
- This document
- Michigan memo Stephen sent earlier today
- Great Lakes Memo Sarah sent Monday

Hope this helps ☺

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/2/2017 9:36:56 PM
To: Gordon, Stephen [gordon.stephen@epa.gov]
Subject: FW: WOTUS discussion at EPA -- Weds. Sept 13 -- 1 p.m.
Attachments: USEPA Regulatory Reform.docx; IFB Roster for EPA Visit 091317.docx

From: Nielsen_Adam [mailto:ANielsen@ilfb.org]
Sent: Thursday, September 7, 2017 3:05 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: WOTUS discussion at EPA -- Weds. Sept 13 -- 1 p.m.

Hi Tate, I just wanted to make sure you have everything you need from me regarding our meeting next Wednesday, Sept. 13 at 1 p.m. I'm tempted to put diacamba on the list of issues to discuss, only if EPA has anything to say. Thanks again, Adam Nielsen, Illinois Farm Bureau

From: Nielsen_Adam
Sent: Friday, September 1, 2017 3:48 PM
To: 'Bennett, Tate' <Bennett.Tate@epa.gov>
Subject: RE: WOTUS discussion at EPA -- Weds. Sept 13 -- 1 p.m.

Hi Tate, So sorry for the delay. My roster was just recently finalized. It is attached for the 1 p.m. September 13 visit. I have a total of 16 in the group, including a writer for our state Farm Bureau publication -- FarmWeek -- who understands the meeting is off the record. Most of the farmers are corn-soybean producers. We have a few with livestock, including a fairly big cattle operator.

I have attached our USEPA Regulatory Reform Comments filed in May. We would like to discuss:

- Waters of the United States new rulemaking – what are the contours of the new rule? What kind of response are you expecting from us? We tried to provide an “echo chamber of gratitude” when you launched the reg reform process.
- RFS – what does the future hold?
- Narrowing of “normal farming” activities under Sect 404 of the CWA
- What’s the future of Region V?
- The administrator’s views on cooperative federalism

Please let me know if you need anything further from us. We will be coming over from lunch at USDA’s Whitten Building - taking the Metro to Federal Triangle Station.

Thanks so much,

Adam Nielsen

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, August 18, 2017 10:44 AM
To: Nielsen_Adam <ANielsen@ilfb.org>
Subject: RE: WOTUS discussion at EPA

Of course. 1 PM that day would be great. Please come to WJC North Building. Any ideas what topics you'd like to discuss?

From: Nielsen_Adam [<mailto:ANielsen@ilfb.org>]
Sent: Friday, August 18, 2017 11:14 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: WOTUS discussion at EPA

Hi Tate, Thanks for your willingness to meet with Illinois Farm Bureau on Sept. 13. Our group will have 15 - 12 farmers, me and two other staff. We're eating lunch across the mall at USDA and can be at WJC or wherever we need to be at about 1 p.m. Let me know when you need names, etc, for security. Thank you! Adam

Adam Nielsen

Director of National Legislation & Policy Development
Illinois Farm Bureau
1701 Towanda Ave.
Bloomington, IL 61701
 mobile
anielsen@ilfb.org



From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]
Sent: Thursday, August 17, 2017 9:06 PM
To: Don Parrish <donp@fb.org>
Cc: Nielsen_Adam <ANielsen@ilfb.org>
Subject: Re: WOTUS discussion at EPA

No current plans to be in IL in Sept. happy to meet with your group on the 13th, however.

Don- I owe you a call!

Sent from my iPhone

On Aug 17, 2017, at 9:53 PM, Don Parrish <donp@fb.org> wrote:

No ag counsel yet - but you should reach out to Tate Bennett for both your visit and the Administrator's potential trip to Illinois.

Don

Sent from my iPhone

On Aug 17, 2017, at 4:54 PM, Nielsen_Adam <ANielsen@ilfb.org> wrote:

Hi Don, I'm taking a group of farmers to DC next month. We're in town from Sept 11-13 and I'm interested in stopping by EPA on the last day to discuss the next steps in WOTUS. Is there an ag counselor on staff at HQ yet? If so, do you have a name?

BTW, Mr. Shimkus says the administrator will be in Illinois next month. No date has been set, but they have sent Pruitt a list of proposed Illinois stops including the ones Lauren and I are suggesting.

Thanks, Adam

Adam Nielsen

Director of National Legislation & Policy Development

Illinois Farm Bureau

1701 Towanda Ave.

Bloomington, IL 61701

Cellular Phone / Ex. 6 - mobile

anielsen@ifb.org

<image001.jpg>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/17/2018 10:18:21 PM
To: Bill Hammerich [bhammerich@coloradolivestock.org]
Subject: RE: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Wonderful. We have to update the phone number/ call in line so be on the lookout for that update email. Hope you are well!

From: Bill Hammerich [mailto:bhammerich@coloradolivestock.org]
Sent: Wednesday, January 17, 2018 5:15 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN

Thanks Tate.

I will be on the call.



WILLIAM HAMMERICH | CHIEF EXECUTIVE OFFICER
COLORADO LIVESTOCK ASSOCIATION
2425 35TH AVENUE, STE 202, GREELEY, CO 80634
O 970.378.0500 | Cellular Phone / Ex. 6 F 970.378.1962

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Wednesday, January 17, 2018 12:29 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS - 1/19 @ 1 PM EASTERN
Importance: High

All—

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period.

As such, EPA invites you and your operation to learn more about the basis of this action via a phone briefing on Friday, 1/19, at 1 PM EASTERN TIME ZONE.

WHO: EPA CONFERENCE CALL ON ANIMAL WASTE EMISSIONS
WHEN: FRIDAY, JANUARY 19, 1PM EASTERN START TIME (feel free to dial in early around 12:50 PM Eastern).
HOW: Call in
Code: Conference Number / Ex. 6

If you have any additional questions on this topic and for more information, please contact the Environmental Protection Agency via the information provided below:

- Visit www.epa.gov/animalwaste for guidance and access to the continuous release reporting forms
- Email comments or suggestions on guidance materials to: CERCLA103.guidance@epa.gov
- Regional Contacts: www.epa.gov/epcra/cr-erns-regional-contacts
- Call with questions: 1-800-424-9346

Please let us know if you have additional questions and we look forward to your joining the call on Friday.

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/9/2017 8:50:52 PM
To: crichter@thepolicygroup.com
Subject: Re: URGENT: The latest info on CERCLA/EPCRA reporting requirements for farms

Thanks. Mike sent an email directly to Reggie. Oye. My mistake I guess.

On Nov 9, 2017, at 2:44 PM, Christian Richter <crichter@thepolicygroup.com> wrote:

I removed

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Thursday, November 9, 2017 2:39:51 PM
To: Christian Richter
Subject: Re: URGENT: The latest info on CERCLA/EPCRA reporting requirements for farms

Maybe remove all email addresses first?

On Nov 9, 2017, at 2:20 PM, Christian Richter <crichter@thepolicygroup.com> wrote:

We will circulate this as well. Thank you.

Best,

Christian

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Thursday, November 9, 2017 2:02:52 PM
To: Bennett, Tate
Subject: Fwd: URGENT: The latest info on CERCLA/EPCRA reporting requirements for farms

FYI we will move to a email process for reporting requirements. The latest below.

Begin forwarded message:

From: "Cheatham, Reggie" <cheatham.reggie@epa.gov>
Date: November 9, 2017 at 1:49:10 PM EST
To: "Lewis, Jen" <Lewis.Jen@epa.gov>, "Simon, Nigel" <Simon.Nigel@epa.gov>, "Breen, Barry" <Breen.Barry@epa.gov>, "Fotouhi, David"

<Fotouhi.David@epa.gov>, "Bennett, Tate"
<Bennett.Tate@epa.gov>, "Sands, Jeffrey"
<sands.jeffrey@epa.gov>, "Michaud, John"
<Michaud.John@epa.gov>
Cc: "Clark, Becki" <Clark.Beki@epa.gov>, "Salo, Earl"
<Salo.Earl@epa.gov>, "Swenson, Erik"
<Swenson.Erik@epa.gov>, "Brooks, Becky"
<Brooks.Beky@epa.gov>, "Taylor, Trish"
<Taylor.Trish@epa.gov>, "Cogliano, Gerain"
<Cogliano.Gerain@epa.gov>, "Noggle, William"
<Noggle.William@epa.gov>, "Jacob, Sicy"
<Jacob.Sicy@epa.gov>, "Hostage, Barbara"
<Hostage.Barbara@epa.gov>, "Hull, George"
<Hull.George@epa.gov>, "Principe, Vanessa"
<Principe.Vanessa@epa.gov>

Subject: URGENT: The latest info on CERCLA/EPCRA reporting requirements for farms

I want to provide the latest information on our efforts to assist farmers to comply with CERCLA/EPCRA reporting requirements. As you are aware, we recently provided a website for farmers who, on November 15th, may have to report their air releases from animal waste on their farms. This website provides guidance for farmers on how to estimate their releases from animal waste and how to report those releases if they meet or exceed the reportable quantity for that release. Prior to and since the release of this guidance, we have been working closely with the Ag community (including Ag Trade Association, Regional/State Ag Advisors, etc.), to make them aware of this guidance, get feedback, and identify issues.

Several issues that have arisen relate to the initial notification to the National Response Center (NRC). First, there is the potential for the NRC to be overwhelmed with calls on November 15th due to the number of farm owners/operators that will need to report. Second, some farm owners/operators have begun reporting to the NRC. The automated system the NRC uses to ensure release notifications get to the appropriate Federal, State, and local response officials, has resulted in some State and local officials calling the farm owners/operators to get more information about the release they reported and what response is needed. In order to resolve these issues, we (OEM and OGC) have been working with the NRC program officials and attorneys, and have identified the following solution:

- * The NRC will establish an email notification system so farm owners/operators can email their continuous release reports to the NRC rather than calling the NRC 800

number. Farmers who have multiple farms can list the name and location of all farms, as well as the associated name(s) of hazardous substance(s) released, in one e-mail.

- ※ Once the email is received by the NRC email notification system, it will generate an automatic response e-mail with a generic identification number (CR-ERNS) for the farm. The farm owner/operator will place that CR-ERNS number on the follow-up written notification report that is required to be submitted to EPA Regional Office within 30 days.
- ※ Additionally, the NRC will email the farm owner/operator's continuous release notification to the EPA who will organize the notification in a spreadsheet and make that information available to the EPA Regional offices. This will alleviate inundating the EPA Regional office with continuous release reports.

The initial notification by e-mail, rather than by telephone, will help to avoid expected long hold delays, telephone system "crashes," and related inconveniences when reporting for farmers starts on November 15, 2017. EPA and the NRC consider the use of e-mail in this instance as complying with the immediate notification requirement of CERCLA section 103.

We are working to have this system in place by Tuesday, November 14th or sooner if possible. We will be revising have updated our website and guidance to communicate this streamlined reporting option for farmers:

"Due to the potential for large call volumes to the National Response Center (NRC), we are establishing an email option for initial continuous release notifications. The system should be available by November 15, 2017. Farm owners/operators should consider using the email option once it is available. This

expedited option will allow one email notification for owners/operators with multiple farms."

Please let us know if you have any questions.

Thanks

Reggie Cheatham, Director
Office of Emergency Management
202/564-8003(w) Cellular Phone / Ex. 6 (c)
cheatham.reggie@epa.gov
Doris Williams, Executive Assistant
202/564-0053

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/9/2017 7:25:58 PM
To: Michael Formica [formicam@nppc.org]
Subject: Re: URGENT: The latest info on CERCLA/EPCRA reporting requirements for farms

Doing the best we can!

On Nov 9, 2017, at 2:21 PM, Michael Formica <formicam@nppc.org> wrote:

Thanks. This is very helpful. Very much appreciate the efforts you guys are going to as we try to navigate this ludicrous situation the activists forced upon us.

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, November 09, 2017 2:03 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Fwd: URGENT: The latest info on CERCLA/EPCRA reporting requirements for farms

FYI we will move to a email process for reporting requirements. The latest below.

Begin forwarded message:

From: "Cheatham, Reggie" <cheatham.reggie@epa.gov>
Date: November 9, 2017 at 1:49:10 PM EST
To: "Lewis, Jen" <Lewis.Jen@epa.gov>, "Simon, Nigel" <Simon.Nigel@epa.gov>, "Breen, Barry" <Breen.Barry@epa.gov>, "Fotouhi, David" <Fotouhi.David@epa.gov>, "Bennett, Tate" <Bennett.Tate@epa.gov>, "Sands, Jeffrey" <sands.jeffrey@epa.gov>, "Michaud, John" <Michaud.John@epa.gov>
Cc: "Clark, Becki" <Clark.Becki@epa.gov>, "Salo, Earl" <Salo.Earl@epa.gov>, "Swenson, Erik" <Swenson.Erik@epa.gov>, "Brooks, Becky" <Brooks.Becky@epa.gov>, "Taylor, Trish" <Taylor.Trish@epa.gov>, "Cogliano, Gerain" <Cogliano.Gerain@epa.gov>, "Noggle, William" <Noggle.William@epa.gov>, "Jacob, Sicy" <Jacob.Sicy@epa.gov>, "Hostage, Barbara" <Hostage.Barbara@epa.gov>, "Hull, George" <Hull.George@epa.gov>, "Principe, Vanessa" <Principe.Vanessa@epa.gov>
Subject: URGENT: The latest info on CERCLA/EPCRA reporting requirements for farms

I want to provide the latest information on our efforts to assist farmers to comply with CERCLA/EPCRA reporting requirements. As you are aware, we recently provided a [website](#) for farmers who, on November 15th, may have to report their air releases from animal waste on their farms. This website provides guidance for farmers on how to estimate their releases from animal waste and how to report those releases if they meet or exceed the reportable quantity for that release. Prior to and since the release of this guidance, we have been working closely with the Ag community (including Ag Trade Association, Regional/State Ag Advisors, etc.), to make them aware of this guidance, get feedback, and identify issues.

Several issues that have arisen relate to the initial notification to the National Response Center (NRC). First, there is the potential for the

NRC to be overwhelmed with calls on November 15th due to the number of farm owners/operators that will need to report. Second, some farm owners/operators have begun reporting to the NRC. The automated system the NRC uses to ensure release notifications get to the appropriate Federal, State, and local response officials, has resulted in some State and local officials calling the farm owners/operators to get more information about the release they reported and what response is needed. In order to resolve these issues, we (OEM and OGC) have been working with the NRC program officials and attorneys, and have identified the following solution:

- The NRC will establish an email notification system so farm owners/operators can email their continuous release reports to the NRC rather than calling the NRC 800 number. Farmers who have multiple farms can list the name and location of all farms, as well as the associated name(s) of hazardous substance(s) released, in one e-mail.
- Once the email is received by the NRC email notification system, it will generate an automatic response e-mail with a generic identification number (CR-ERNS) for the farm. The farm owner/operator will place that CR-ERNS number on the follow-up written notification report that is required to be submitted to EPA Regional Office within 30 days.
- Additionally, the NRC will email the farm owner/operator's continuous release notification to the EPA who will organize the notification in a spreadsheet and make that information available to the EPA Regional offices. This will alleviate inundating the EPA Regional office with continuous release reports.

The initial notification by e-mail, rather than by telephone, will help to avoid expected long hold delays, telephone system "crashes," and related inconveniences when reporting for farmers starts on November 15, 2017. EPA and the NRC consider the use of e-mail in this instance as complying with the immediate notification requirement of CERCLA section 103.

We are working to have this system in place by Tuesday, November 14th or sooner if possible. We will be revising have updated our website and guidance to communicate this streamlined reporting option for farmers:

“ Due to the potential for large call volumes to the National Response Center (NRC), we are establishing an email option for initial continuous release notifications. The system should be available by November 15, 2017. Farm owners/operators should consider using the email option once it is available. This expedited option will allow one email notification for owners/operators with multiple farms.”

Please let us know if you have any questions.

Thanks

Reggie Cheatham, Director
Office of Emergency Management
202/564-8003(w) Cellular Phone / Ex. 6 (c)
cheatham.reggie@epa.gov
Doris Williams, Executive Assistant
202/564-0053

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/28/2017 9:02:46 PM
To: Marvin Childers [marvin@thepoultryfederation.com]
Subject: RE: CERCLA-EPCRA Update

Come visit anytime.

From: Marvin Childers [mailto:marvin@thepoultryfederation.com]
Sent: Tuesday, November 28, 2017 3:58 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: CERCLA-EPCRA Update

Thanks a bunch. Enjoyed our time together this morning!

Marvin Childers
President
The Poultry Federation
501-375-8131

On Nov 28, 2017, at 3:57 PM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Good afternoon,

No policy changes to announce, but rather just wanted to share our press release which just went out this afternoon on the deadline extension. Please see below.

-Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

CONTACT: press@epa.gov

DC Circuit Court Grants Trump EPA Request to Extend Deadline for Farmers to Report Emissions from Livestock Operations

WASHINGTON (November 28, 2017) — On Wednesday, November 22, 2017, in response to a request from the Trump Administration EPA, the DC Circuit Court of Appeals effectively extended the deadline for farmers to report air releases of hazardous substances from animal waste at livestock operations until January 22, 2018. The decision postponed the effective date of the Court's April 2017 decision vacating an EPA rule that exempted these farms from certain statutory reporting obligations.

"EPA is committed to providing America's farmers and ranchers - people committed to conserving the land and the environment- the clarity needed in meeting their reporting obligations required by law," said **EPA Administrator Scott Pruitt**.

Under the Trump Administration, EPA sought this additional time in order to provide compliance assistance to farmers, update its guidance, and develop a more-streamlined reporting form. With the Court's decision, farmers are not required to report emissions from animal waste at these facilities until after the Court issues its mandate, expected no sooner than January 22, 2018.

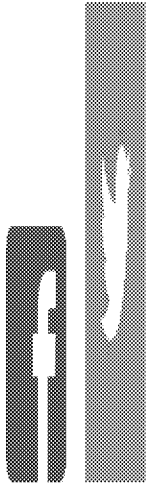
Background:

On April 11, 2017, the DC Circuit Court vacated an EPA rule finalized on December 18, 2008, that exempted most farms from certain release reporting requirements in two statutes, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Emergency Planning and Community Right to Know Act (EPCRA).

In response to a request from the Trump Administration EPA, the DC Circuit Court extended the effective date of its decision to vacate the 2008 rule to November 15, 2017. In response to a second request from the current administration EPA, the DC Circuit Court further extended that date to January 22, 2018. As such, farmers now do not need to report emissions under CERCLA until January 22, 2018 at the earliest when the D.C. Circuit Court is expected to issue its mandate.

EPA has prepared guidance that includes links to resources that farmers can consider when calculating emissions for specific species of livestock.

To view EPA's guidance and Frequently Asked Questions on reporting air emissions from animal waste: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>



Visit the EPA's
Newsroom

From: Bennett, Tate
Sent: Wednesday, November 22, 2017 7:56 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: CERCLA-EPCRA Update

All-

As you may have seen, earlier today, the DC Circuit Court of Appeals granted EPA's motion to **further stay the mandate** of its decision vacating EPA's 2008 rule exempting farms from CERCLA and EPCRA emissions reporting requirements **until January 22, 2018**. More information can be found on EPA's website [here](#).

Happy Thanksgiving Eve.
Tate

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/9/2017 7:04:02 PM
To: Raymond.A.Starling@who.eop.gov
Subject: Fwd: URGENT: The latest info on CERCLA/EPCRA reporting requirements for farms

FYI moving to email from phone reporting.

Begin forwarded message:

From: "Cheatham, Reggie" <cheatham.reggie@epa.gov>
Date: November 9, 2017 at 1:49:10 PM EST
To: "Lewis, Jen" <Lewis.Jen@epa.gov>, "Simon, Nigel" <Simon.Nigel@epa.gov>, "Breen, Barry" <Breen.Barry@epa.gov>, "Fotouhi, David" <Fotouhi.David@epa.gov>, "Bennett, Tate" <Bennett.Tate@epa.gov>, "Sands, Jeffrey" <sands.jeffrey@epa.gov>, "Michaud, John" <Michaud.John@epa.gov>
Cc: "Clark, Becki" <Clark.Beki@epa.gov>, "Salo, Earl" <Salo.Earl@epa.gov>, "Swenson, Erik" <Swenson.Erik@epa.gov>, "Brooks, Becky" <Brooks.Becky@epa.gov>, "Taylor, Trish" <Taylor.Trish@epa.gov>, "Cogliano, Gerain" <Cogliano.Gerain@epa.gov>, "Noggle, William" <Noggle.William@epa.gov>, "Jacob, Sicy" <Jacob.Sicy@epa.gov>, "Hostage, Barbara" <Hostage.Barbara@epa.gov>, "Hull, George" <Hull.George@epa.gov>, "Principe, Vanessa" <Principe.Vanessa@epa.gov>
Subject: URGENT: The latest info on CERCLA/EPCRA reporting requirements for farms

I want to provide the latest information on our efforts to assist farmers to comply with CERCLA/EPCRA reporting requirements. As you are aware, we recently provided a [website](#) for farmers who, on November 15th, may have to report their air releases from animal waste on their farms. This website provides guidance for farmers on how to estimate their releases from animal waste and how to report those releases if they meet or exceed the reportable quantity for that release. Prior to and since the release of this guidance, we have been working closely with the Ag community (including Ag Trade Association, Regional/State Ag Advisors, etc.), to make them aware of this guidance, get feedback, and identify issues.

Several issues that have arisen relate to the initial notification to the National Response Center (NRC). First, there is the potential for the NRC to be overwhelmed with calls on November 15th due to the number of farm owners/operators that will need to report. Second, some farm owners/operators have begun reporting to the NRC. The automated system the NRC uses to ensure release notifications get to the appropriate Federal, State, and local response officials, has resulted in some State and local officials calling the farm owners/operators to get more information about the release they reported and what response is needed. In order to resolve these issues, we (OEM and OGC) have been working with the NRC program officials and attorneys, and have identified the following solution:

- The NRC will establish an email notification system so farm owners/operators can email their continuous release reports to the NRC rather than calling the

NRC 800 number. Farmers who have multiple farms can list the name and location of all farms, as well as the associated name(s) of hazardous substance(s) released, in one e-mail.

- Once the email is received by the NRC email notification system, it will generate an automatic response e-mail with a generic identification number (CR-ERNS) for the farm. The farm owner/operator will place that CR-ERNS number on the follow-up written notification report that is required to be submitted to EPA Regional Office within 30 days.
- Additionally, the NRC will email the farm owner/operator's continuous release notification to the EPA who will organize the notification in a spreadsheet and make that information available to the EPA Regional offices. This will alleviate inundating the EPA Regional office with continuous release reports.

The initial notification by e-mail, rather than by telephone, will help to avoid expected long hold delays, telephone system "crashes," and related inconveniences when reporting for farmers starts on November 15, 2017. EPA and the NRC consider the use of e-mail in this instance as complying with the immediate notification requirement of CERCLA section 103.

We are working to have this system in place by Tuesday, November 14th or sooner if possible. We will be revising have updated our website and guidance to communicate this streamlined reporting option for farmers:

"Due to the potential for large call volumes to the National Response Center (NRC), we are establishing an email option for initial continuous release notifications. The system should be available by November 15, 2017. Farm owners/operators should consider using the email option once it is available. This expedited option will allow one email notification for owners/operators with multiple farms."

Please let us know if you have any questions.

Thanks

Reggie Cheatham, Director
Office of Emergency Management
202/564-8003(w) [Cellular Phone / Ex. 6] (c)
cheatham.reggie @epa.gov
Doris Williams, Executive Assistant
202/564-0053

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/4/2017 7:29:55 PM
To: Lyons, Troy [lyons.troy@epa.gov]; Palich, Christian [palich.christian@epa.gov]; Ringel, Aaron [ringel.aaron@epa.gov]; Cory, Preston (Katherine) [Cory.Preston@epa.gov]
Subject: Fwd: Draft communications plan for the CERCLA EPCRA reporting requirements
Attachments: DRAFT Comm Plan for Animal Waste Emissions Guidance 10-3-17 (v.2).docx; ATT00001.htm

Heads up on this 10-16 notice as we might get nailed by MOC's who don't understand our long game on this play.

Begin forwarded message:

From: "Taylor, Trish" <Taylor.Trish@epa.gov>
Date: October 4, 2017 at 2:02:17 PM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Benjamin, Kent" <Benjamin.Kent@epa.gov>
Subject: FW: Draft communications plan for the CERCLA EPCRA reporting requirements

Hi Tate,

Attached is a draft communications plan that includes a ListServ of potential ag stakeholders. OLEM DAA Patrick Davis suggested that I share the list with you to see if you may have additional names/groups to include in our planned outreach regarding upcoming reporting regs. We've been working with subject matter experts in the Office of Emergency Management (OEM) and OPA has been provided the draft comms plan for review/approval.

Please let me know if you have any questions or concerns.
Thank you,
Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

From: Taylor, Trish
Sent: Tuesday, October 03, 2017 6:31 PM
To: Breen, Barry <Breen.Barry@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>
Cc: Benjamin, Kent <Benjamin.Kent@epa.gov>; Klinger, Adam <Klinger.Adam@epa.gov>; Brooks, Becky <Brooks.Bekky@epa.gov>
Subject: Draft communications plan for the CERCLA EPCRA reporting requirements

Hi Barry and Patrick,

Attached is the draft communications plan for the CERCLA / EPCRA reporting requirements for air releases of hazardous substances from animal waste at farms guidance. It has been reviewed/approved by RID Division Director, K. Jennings. OEM is currently working on the communications materials which will include a draft press release, desk statement, webpage update and Q&As.

- The press release mentioned in the plan would be targeted specifically to ag outlets only.
- OEM/ OGC are currently revising the draft Q&As.

Per your suggestion, once you have reviewed/approved the comms plan, I can share with Tate Bennett, to make sure we are not missing any key groups from our ListServ and then move it forward to OPA for input.

Please let me know if you have any questions or concerns.
Thank you,
Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/9/2017 6:35:18 PM
To: Sands, Jeffrey [sands.jeffrey@epa.gov]
CC: Jennings, Kim [Jennings.Kim@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]
Subject: Re: CAFO Air Emission Reporting

Nice!!!

On Nov 9, 2017, at 12:23 PM, Sands, Jeffrey <sands.jeffrey@epa.gov> wrote:

Thank you Kim.

Appreciate all your/ the team's work.

Jeff

Sent from my iPhone

On Nov 9, 2017, at 12:19 PM, Jennings, Kim <Jennings.Kim@epa.gov> wrote:

Hi Tate and Jeff,

Sorry you are finding out about this via the email to Mike. There are a lot of moving parts and we are trying to get them in place as soon as we can. Good news is we have a good resolution which should be in place before the deadline. Reggie will be sending a note out to you and other Agency key leaders very shortly providing you a complete update on where we are.

Again, so sorry, and thanks for all your help.

Kim

Kim Jennings

Division Director || Regulations Implementation Division

U.S. Environmental Protection Agency || Office of Emergency Management

E-mail: jennings.kim@epa.gov || Desk: (202) 564-7998 ||

From: Jennings, Kim

Sent: Thursday, November 09, 2017 12:15 PM

To: 'Michael Formica' <formicam@nppc.org>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>

Cc: Gioffre, Patricia <Gioffre.Patricia@epa.gov>

Subject: RE: CAFO Air Emission Reporting

Hi Mike,

Yes, what you heard is correct. We have been in pretty much constant contact with the NRC to develop this 'fix'. We need to get some things finalized before it is in place and we will be putting some information up on the website soon(probably within the hour)

stating that we are working on this improvement in NRC notification for farms and request that farms hold off reporting until the 15th to give us time to get this in place.

Regarding the NRC only taking one report at a time, that is also correct and this new notification improvement will allow for multiple reports.

I will let you know as soon as that happens.

Thanks,
Kim

Kim Jennings
Division Director || Regulations Implementation Division
U.S. Environmental Protection Agency || Office of Emergency Management
E-mail: jennings.kim@epa.gov || Desk: (202) 564-7998 ||

From: Michael Formica [<mailto:formicam@nppc.org>]
Sent: Thursday, November 09, 2017 12:08 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>
Subject: CAFO Air Emission Reporting

Heard from a lawyer in Iowa that when they called in this morning to begin reporting farms, the NRC operator told them that there was a web page that would be coming on line next week to allow multiple reports to be filed at a single time.

Do you know if this is true? If so, that would be very helpful.

Also getting a lot go calls from folks in North Carolina. Apparently the NRC operators (there seem to only be two who cover all of North Carolina) won't allow them to report more than 2 farms at a time because "they can't risk to have the phone lines tied up receiving non emergency reports."

Michael C. Formica
Assistant Vice President & Legal Counsel, Domestic Policy
National Pork Producers Council
202.680.3820

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/20/2017 2:33:20 PM
To: Daniels, Emmalyse [daniels.emmalyse@epa.gov]
Subject: FW: WOTUS discussion at EPA -- Weds. Sept 13 -- 1 p.m.
Attachments: USEPA Regulatory Reform.docx; IFB Roster for EPA Visit 091317.docx

The second attachment. Thank you!

From: Nielsen_Adam [mailto:ANielsen@ilfb.org]
Sent: Thursday, September 7, 2017 3:05 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: WOTUS discussion at EPA -- Weds. Sept 13 -- 1 p.m.

Hi Tate, I just wanted to make sure you have everything you need from me regarding our meeting next Wednesday, Sept. 13 at 1 p.m. I'm tempted to put diacamba on the list of issues to discuss, only if EPA has anything to say. Thanks again, Adam Nielsen, Illinois Farm Bureau

From: Nielsen_Adam
Sent: Friday, September 1, 2017 3:48 PM
To: 'Bennett, Tate' <Bennett.Tate@epa.gov>
Subject: RE: WOTUS discussion at EPA -- Weds. Sept 13 -- 1 p.m.

Hi Tate, So sorry for the delay. My roster was just recently finalized. It is attached for the 1 p.m. September 13 visit. I have a total of 16 in the group, including a writer for our state Farm Bureau publication -- FarmWeek -- who understands the meeting is off the record. Most of the farmers are corn-soybean producers. We have a few with livestock, including a fairly big cattle operator.

I have attached our USEPA Regulatory Reform Comments filed in May. We would like to discuss:

- Waters of the United States new rulemaking – what are the contours of the new rule? What kind of response are you expecting from us? We tried to provide an “echo chamber of gratitude” when you launched the reg reform process.
- RFS – what does the future hold?
- Narrowing of “normal farming” activities under Sect 404 of the CWA
- What’s the future of Region V?
- The administrator’s views on cooperative federalism

Please let me know if you need anything further from us. We will be coming over from lunch at USDA’s Whitten Building - taking the Metro to Federal Triangle Station.

Thanks so much,

Adam Nielsen

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, August 18, 2017 10:44 AM
To: Nielsen_Adam <ANielsen@ilfb.org>
Subject: RE: WOTUS discussion at EPA

Of course. 1 PM that day would be great. Please come to WJC North Building. Any ideas what topics you'd like to discuss?

From: Nielsen_Adam [<mailto:ANielsen@ilfb.org>]

Sent: Friday, August 18, 2017 11:14 AM

To: Bennett, Tate <Bennett.Tate@epa.gov>

Subject: RE: WOTUS discussion at EPA

Hi Tate, Thanks for your willingness to meet with Illinois Farm Bureau on Sept. 13. Our group will have 15 - 12 farmers, me and two other staff. We're eating lunch across the mall at USDA and can be at WJC or wherever we need to be at about 1 p.m. Let me know when you need names, etc, for security. Thank you! Adam

Adam Nielsen

Director of National Legislation & Policy Development

Illinois Farm Bureau

1701 Towanda Ave.

Bloomington, IL 61701

Cellular Phone / Ex. 6 - mobile

anielsen@ilfb.org



From: Bennett, Tate [<mailto:Bennett.Tate@epa.gov>]

Sent: Thursday, August 17, 2017 9:06 PM

To: Don Parrish <donp@fb.org>

Cc: Nielsen_Adam <ANielsen@ilfb.org>

Subject: Re: WOTUS discussion at EPA

No current plans to be in IL in Sept. happy to meet with your group on the 13th, however.

Don- I owe you a call!

Sent from my iPhone

On Aug 17, 2017, at 9:53 PM, Don Parrish <donp@fb.org> wrote:

No ag counsel yet - but you should reach out to Tate Bennett for both your visit and the Administrator's potential trip to Illinois.

Don

Sent from my iPhone

On Aug 17, 2017, at 4:54 PM, Nielsen_Adam <ANielsen@ilfb.org> wrote:

Hi Don, I'm taking a group of farmers to DC next month. We're in town from Sept 11-13 and I'm interested in stopping by EPA on the last day to discuss the next steps in WOTUS. Is there an ag counselor on staff at HQ yet? If so, do you have a name?

BTW, Mr. Shimkus says the administrator will be in Illinois next month. No date has been set, but they have sent Pruitt a list of proposed Illinois stops including the ones Lauren and I are suggesting.

Thanks, Adam

Adam Nielsen

Director of National Legislation & Policy Development

Illinois Farm Bureau

1701 Towanda Ave.

Bloomington, IL 61701

Cellular Phone / Ex. 6 mobile

anielsen@ifb.org

<image001.jpg>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 11/7/2017 10:57:05 PM
To: tyler.norvell@gmail.com
Subject: FW: New reporting instructions on the CERCLA/EPCRA Ag Website
Importance: High

From: Gioffre, Patricia
Sent: Tuesday, November 7, 2017 2:42 PM
To: Cheatham, Reggie <cheatham.reggie@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>
Cc: Jennings, Kim <Jennings.Kim@epa.gov>; Jacob, Sicy <Jacob.Sicy@epa.gov>; Franklin, Kathy <Franklin.Kathy@epa.gov>; Mayer, Eileen <Mayer.Eileen@epa.gov>; Irizarry, Gilberto <Irizarry.Gilberto@epa.gov>; Woodyard, Josh <Woodyard.Joshua@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Swenson, Erik <Swenson.Erik@epa.gov>; Cogliano, Gerain <Cogliano.Gerain@epa.gov>; Hostage, Barbara <Hostage.Barbara@epa.gov>; Noggle, William <Noggle.William@epa.gov>; Hull, George <Hull.George@epa.gov>; Taylor, Trish <Taylor.Trish@epa.gov>; Principe, Vanessa <Principe.Vanessa@epa.gov>
Subject: New reporting instructions on the CERCLA/EPCRA Ag Website
Importance: High

We have heard from an industry stakeholder that some farmers have called the NRC and were then contacted by emergency response officials to respond to the release. We suspect that farmers may not be identifying the NRC call as a continuous release report.

To address this we are reminding farmers that they must identify the reportable release as an "initial continuous release notification. Our web editor quickly updated the red alert box on the website with this instruction and under the first FAQ, bolded the instructions to identify reportable releases as an "initial continuous release notification."

Additionally, to address a request from the NRC, we revised the statement in the red Alert box to say: Farms with continuous releases must submit their initial continuous release notification starting on November 15, 2017.

The revisions are on the website now at: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>

OEM will continue to address concerns like these as they arise and will reach out to the NRC to ensure that reports from farmers are identified as continuous release reports.

Best wishes!

Patty Gioffre
Acting Deputy Division Director
USEPA (OLEM/OEM/RID)
1200 Pennsylvania Ave. NW (5104A)
Washington, DC 20460
202-564-1972
Cellular Phone / Ex. 6 (cell)

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/16/2018 7:59:25 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: final animal waste items

Ok! 1415

From: Grantham, Nancy
Sent: Tuesday, January 16, 2018 2:52 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Palich, Christian <palich.christian@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Cc: Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>
Subject: RE: final animal waste items

Will send shortly .. also, Latosha and I will come to opee shortly to make sue we are all aligned.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Bennett, Tate
Sent: Tuesday, January 16, 2018 2:32 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>; Palich, Christian <palich.christian@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Cc: Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>
Subject: RE: final animal waste items

Hey there! Just shot OLEM a note on setting up the calls.

Nancy, do you have any talkers or messaging to accompany the fact sheets that I can steal from? If not, no worries. -Tate

From: Sands, Jeffrey
Sent: Tuesday, January 16, 2018 1:02 PM
To: Palich, Christian <palich.christian@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Cc: Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>
Subject: RE: final animal waste items

All,

I think from an outreach perspective, the boxes have been checked. For our immediate purposes, the fact sheets are ready for distribution to your respective constituencies but there are a couple of details that remain.

- 1) Timing of PSA release? After an earlier conversation with one of the regional ag advisors, it seems as if the most appropriate timing for the release of the PSA would be after the fact sheets are distributed. (Nancy can we connect on this quickly?) I would suggest holding the PSA scripts until we have a quick conversation on that timing.
- 2) Coordination and communication of group phone calls for external groups on Thursday between OLEM, OPEEE, etc.
 - a. How to best get them scheduled and communicating them to appropriate stakeholders?

Best,
Jeff

From: Palich, Christian

Sent: Tuesday, January 16, 2018 10:16 AM

To: Sands, Jeffrey <sands.jeffrey@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>

Cc: Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>

Subject: RE: final animal waste items

Thanks Jeff. I will hold till you check all the boxes, and let everyone know we can hit play.

On my end I think the finalized fact sheet and PSA will be plenty for Hill notifications.

Christian R. Palich
Deputy Associate Administrator
Office of Congressional & Intergovernmental Affairs
U.S Environmental Protection Agency
O: 202.564.4944
C: Cellular Phone / Ex. 6
E: Palich.Christian@epa.gov

From: Sands, Jeffrey

Sent: Tuesday, January 16, 2018 10:14 AM

To: Palich, Christian <palich.christian@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>

Cc: Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>

Subject: RE: final animal waste items

Christian,

Still a few more boxes to check before distribution. I would review from your end to see if you need all the materials here or if the finalized fact sheet and PSA would work for your needs in reaching out.

Thanks.

Jeff

From: Palich, Christian
Sent: Tuesday, January 16, 2018 10:10 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>
Cc: Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: RE: final animal waste items

Is this for public distribution Nancy? Or do we know what time we can send out?

Christian R. Palich
Deputy Associate Administrator
Office of Congressional & Intergovernmental Affairs
U.S Environmental Protection Agency
O: 202.564.4944
C: 202.306.4656
E: Palich.Christian@epa.gov

From: Grantham, Nancy
Sent: Tuesday, January 16, 2018 9:36 AM
To: Ringel, Aaron <ringel.aaron@epa.gov>; Palich, Christian <palich.christian@epa.gov>
Cc: Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: FW: final animal waste items

Christian and Aaron –

Jeff Sands thought you would want to see this material in connection with your hill notifications.

Please let us know if you would like the regions to make district notifications as well.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Cellular Phone / Ex. 6

(mobile)

From: Grantham, Nancy
Sent: Monday, January 15, 2018 12:03 PM
To: Thomas, Latosha <Thomas.Latosha@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Block, Molly <block.molly@epa.gov>; Grantham, Nancy

<Grantham.Nancy@epa.gov>

Subject: FW: final ag items

Hi all,

I hope that I have compiled all of the materials for the epcra/cercla animal waste outreach that is likely to happen this week. All materials are in English and spanish.

The idea is that most of the materials – recorded psas, widgets, newsletter article, etc, will be posted on a webpage off of the animalwaste webpage – so the regions (pads and ag advisors) and our partners (usda, ag associations, etc) can easily access them and use them for outreach.

Please let me know if anything is missing from the compilation.

At Jeff Sands' suggestion, I have reached out to our USDA comms colleagues, and hope we can connect tomorrow.

We are still standing by for the all clear to move forward, however I thought it would be useful to be ready.

Please send any comments/suggestions/edits, at your convenience.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Cellular Phone / Ex. 6	(mobile)
------------------------	-----------------

From: Grantham, Nancy
Sent: Monday, January 15, 2018 11:15 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: final ag items

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/17/2018 4:17:04 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: Outreach Calls: Animal Waste

Thanks! These guys will need more advance notice otherwise. Need it by noon!!!

From: Grantham, Nancy
Sent: Wednesday, January 17, 2018 11:16 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Outreach Calls: Animal Waste

I talked with latosha a little while ago and she was working on yours .. will ping her now

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Cellular Phone / Ex. 6 **(mobile)**

From: Bennett, Tate
Sent: Wednesday, January 17, 2018 11:13 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Outreach Calls: Animal Waste

Any update on a call in? I need to get this out soon ☺

From: Grantham, Nancy
Sent: Tuesday, January 16, 2018 5:53 PM
To: Thomas, Latosha <Thomas.Latosha@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>; Janifer, Pamela <Janifer.Pamela@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Outreach Calls: Animal Waste

Hi Latosha,

To summarize where we are in terms of calls for Thursday, 1/18 tomorrow:

11:00 a.m. est "leaderview" call with the trade groups – (# of lines?) OLEM will lead

12:30 p.m.est "leaderview" call with OPEE stakeholders (100 lines) – OPEE will lead

Tate has requested that we get the numbers and access codes for these calls asap so notification can be made asap tomorrow.

FYI – there will also be a 2 p.m. est call with NASDA tomorrow – Chad Nitsch is leading

Please let us know if you need any further information to make this happen.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Cellular Phone / Ex. 6 **(mobile)**

From: Thomas, Latosha

Sent: Tuesday, January 16, 2018 5:49 PM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>

Subject: Outreach Calls: Animal Waste

Hi everyone,

As you know, we are hosting calls for our stakeholders that will be impacted by the new reporting requirements related to animal waste. Based on my discussions with many of you earlier, I wanted to make sure that I've captured everything in the outline below. In addition, let me know if the language that will be sent with the call invites is ok. Thanks!

Animal Waste Outreach Calls

Overview: EPA will host two (2) calls to notify stakeholders of the new requirements related to animal waste. The 1st call will include livestock trade associations + industry + state, local, tribal officials. The 2nd call will include actual members of the associations/organizations.

1st Call

When: Thursday (1/18) @10AM ET

Hosts: Patty Gioffre/Kim Jennings (OEM/RID)

Key Messages:

- Due to a recent court decision, farmers (including ranchers, livestock and/or animal operators) will soon be required to begin reporting emissions of hazardous substances from animal waste that are equal to or greater than a certain threshold when the court issues its mandate (January 22, 2017 or later).
- EPA has issued guidance that is available online to assist farmers in estimating their air releases and reporting under CERCLA for air releases of hazardous substances from animal waste at farms (EPA's website also contains EPA's preliminary interpretation of EPCRA to exclude farms that use substances in "routine agricultural operations" from reporting under EPCRA section 304).

- The Agency has provided outreach materials (PSA, social media, article, widget, etc.) that are available for your use and to help you get the word out about these new requirements.

Participants:

- Livestock Trade Associations
 - National Cattleman's Beef Association
 - Arizona Cattle Growers Association
 - National Chicken Council
 - National Council of Farmer Cooperatives
 - National Turkey Federation
 - US Poultry and Egg Association
 - United Egg Producers
 - National Pork Producers Council
 - National Pork Board
 - National Milk Producers Federation
 - Mid-Atlantic Dairy Association
 - Nisei Farmers League
 - Innovation Center for US Dairy
 - Dairy Farmers of America
 - Dairy Management Inc.
 - Livestock and Poultry Environmental Learning Center (extension agents at land grant universities)
 - Cornell PRO-DAIRY Program
- Industry
 - Seaboard Farms
 - Tyson Foods
 - National Association of State Title III Officials (NASTTPO), State Emergency Response Commissions (SERCs), Tribal Emergency Response Commissions (TERCs), Local Emergency Planning Committees (LEPCs)
 - National Association of State Departments of Agriculture
 - National Association of Clean Air Agencies – Agriculture Committee
 - American Farm Bureau Federation
- Agricultural Retailers Association (ARA)
- The Fertilizer Institute (TFI)
- National Farmers Union
- National Association of Conservation Districts (NACD)
- Enviro/NGOs
 - Sierra Club

2nd Call

When: Thursday (1/18) @2PM ET

Hosts: Tate Bennett (Patty Gioffre/Kim Jennings will participate for support)

Key Messages:

- Due to a recent court decision, farmers (including ranchers, livestock and/or animal operators) will soon be required to begin reporting emissions of hazardous substances from animal waste that are

equal to or greater than a certain threshold when the court issues its mandate (January 22, 2017 or later).

- EPA has issued guidance that is available online to assist farmers in estimating their air releases and reporting under CERCLA for air releases of hazardous substances from animal waste at farms (EPA's website also contains EPA's preliminary interpretation of EPCRA to exclude farms that use substances in "routine agricultural operations" from reporting under EPCRA section 304).
- The Agency has provided outreach materials (PSA, social media, article, widget, etc.) that are available for your use and to help you get the word out about these new requirements.

Participants: Actual members of the above associations/organizations/groups

Language to be sent with invites (+ attached comms materials)

Due to a recent court decision, farms (including ranches, livestock operations and/or animal operations) will soon be required to report hazardous substance air releases from animal waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) when they release hazardous substances from animal waste in amounts greater than/equal to their reportable quantity within a 24-hour period. The purpose of this call is to provide an overview and basic information for our stakeholders who are impacted by this new requirement.

ACTIONS

- OEM will send out invitations to participants of the 1st call
- OPE will send out invitations to participants of the 2nd call
- Latosha (OEM) will work with Cathy Milbourn (OPE) re: logistics for 2nd call*

*OEM should be able to handle the quantity of participants related to the 1st call since there will be less people.

Latosha Thomas
U.S. Environmental Protection Agency
OLEM/OEM/RMD
(202) 564-2621 (desk)
Cellular Phone / Ex. 6 (cell)
thomas.latosha@epa.gov

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 2/8/2018 3:20:36 PM
To: Sands, Jeffrey [sands.jeffrey@epa.gov]
Subject: FW: Updated Loos Brief
Attachments: 02.08.18 - Trent Loos Brief_updated.docx

TOP LINE MESSAGES

WOTUS: Visited 30 states and met with countless farmers and land owners; we restored regulatory certainty consistent with the Clean Water Act. We finalized "Step Zero" last week.

Dicamba: Negotiated a stricter labeling agreement and gave states the flexibility they needed to regulate and control dicamba.

CERCLA Livestock Emissions: Last week, U.S. Court of Appeals granted my request for a 90-day stay on reporting requirements until May 1. We are working toward finalizing a solution and fixing this problem for farmers.

From: Beach, Christopher
Sent: Thursday, February 8, 2018 10:11 AM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Updated Loos Brief

Attached.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/26/2017 5:51:35 PM
To: Dewey, Amy [Dewey.Amy@epa.gov]
Subject: FW: Draft communications plan for the CERCLA EPCRA reporting requirements
Attachments: Copy of EPA Agriculture List 10-12-17.xlsx

From: Jennings, Kim
Sent: Thursday, October 26, 2017 1:48 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Taylor, Trish <Taylor.Trish@epa.gov>
Cc: Gerardin, Margaret <Gerardin.Margaret@epa.gov>
Subject: RE: Draft communications plan for the CERCLA EPCRA reporting requirements

Hi,

Here is a list of Ag trade associations we are communicating to as part of our communication plan.

Thanks,
Kim

Kim Jennings
Division Director || Regulations Implementation Division
U.S. Environmental Protection Agency || Office of Emergency Management
E-mail: jennings.kim@epa.gov || Desk: (202) 564-7998 ||

From: Bennett, Tate
Sent: Thursday, October 26, 2017 1:36 PM
To: Taylor, Trish <Taylor.Trish@epa.gov>
Cc: Gerardin, Margaret <Gerardin.Margaret@epa.gov>; Jennings, Kim <jennings.kim@epa.gov>
Subject: RE: Draft communications plan for the CERCLA EPCRA reporting requirements

Thanks! Do you think you guys might be able to help?

From: Taylor, Trish
Sent: Thursday, October 26, 2017 1:34 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Gerardin, Margaret <Gerardin.Margaret@epa.gov>; Jennings, Kim <jennings.kim@epa.gov>
Subject: RE: Draft communications plan for the CERCLA EPCRA reporting requirements

Hi Tate,

I'm copying OEM here, since they're doing the outreach.

From: Bennett, Tate
Sent: Thursday, October 26, 2017 1:06 PM

To: Taylor, Trish <Taylor.Trish@epa.gov>

Subject: RE: Draft communications plan for the CERCLA EPCRA reporting requirements

Specifically, these guys?

- Livestock Trade Associations:
 - National Cattleman's Beef Association
 - Arizona Cattle Growers Association
 - National Chicken Council
 - National Turkey Federation
 - US Poultry and Egg Association
 - United Egg Producers
 - National Pork Producers Council
 - National Pork Board
 - National Milk Producers Federation
 - Mid-Atlantic Dairy Association
 - Nisei Farmers League
 - Innovation Center for US Dairy
 - Dairy Farmers of America
 - Dairy Management Inc.
 - Livestock and Poultry Environmental Learning Center (extension agents at land grant universities)
 - Seaboard Farms
 - Tyson Foods

From: Bennett, Tate

Sent: Thursday, October 26, 2017 12:17 PM

To: Taylor, Trish <Taylor.Trish@epa.gov>

Subject: RE: Draft communications plan for the CERCLA EPCRA reporting requirements

Hey Trish! Do you have a good list of names/ contact info for the people in your outreach list?

From: Taylor, Trish

Sent: Wednesday, October 11, 2017 6:26 PM

To: Bennett, Tate <Bennett.Tate@epa.gov>

Subject: RE: Draft communications plan for the CERCLA EPCRA reporting requirements

I believe OEM (Patty Gioffre and Kim Jennings) is working with OGC (Jen Lewis and David Fotouhi) on the guidance.

From: Bennett, Tate

Sent: Wednesday, October 11, 2017 6:00 PM

To: Taylor, Trish <Taylor.Trish@epa.gov>

Subject: Re: Draft communications plan for the CERCLA EPCRA reporting requirements

So nothing to date? Maybe a status summary? They Administrator might get asked about it tomorrow (only reason I'm asking!)

Sent from my iPad

On Oct 11, 2017, at 5:31 PM, Taylor, Trish <Taylor.Trish@epa.gov> wrote:

Hi Tate,

OPA is currently reviewing a draft news briefing and desk statement (attached) but no TPs. Once finalized, we'll have Q&As to accompany the guidance.

Thanks,
Trish

From: Bennett, Tate
Sent: Wednesday, October 11, 2017 5:13 PM
To: Taylor, Trish <Taylor.Trish@epa.gov>
Subject: Re: Draft communications plan for the CERCLA EPCRA reporting requirements

Hey Trish! Do you have any talking points already developed on this? Thank you!

Sent from my iPad

On Oct 4, 2017, at 3:44 PM, Taylor, Trish <Taylor.Trish@epa.gov> wrote:

Sure. I have a 4 pm mtg, but will be in the office until 6 pm tonight, and back in tomorrow 8:30 am.

From: Bennett, Tate
Sent: Wednesday, October 04, 2017 3:29 PM
To: Taylor, Trish <Taylor.Trish@epa.gov>
Cc: Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: Re: Draft communications plan for the CERCLA EPCRA reporting requirements

This looks complete to me. Can I give you a quick call on this later today? I just have a few pedestrian questions.

On Oct 4, 2017, at 2:02 PM, Taylor, Trish <Taylor.Trish@epa.gov> wrote:

Hi Tate,

Attached is a draft communications plan that includes a ListServ of potential ag stakeholders.

OLEM DAA Patrick Davis suggested that I share the list with you to see if you may have additional names/groups to include in our planned outreach regarding upcoming reporting regs. We've been working with subject matter experts in the Office of Emergency Management (OEM) and OPA has been provided the draft comms plan for review/approval.

Please let me know if you have any questions or concerns.

Thank you,
Trish

Trish Taylor, Office of Communications, Partnerships and Analysis
(OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW

Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](#)

From: Taylor, Trish

Sent: Tuesday, October 03, 2017 6:31 PM

To: Breen, Barry <Breen.Barry@epa.gov>; Davis, Patrick

<davis.patrick@epa.gov>

Cc: Benjamin, Kent <Benjamin.Kent@epa.gov>; Klinger, Adam

<Klinger.Adam@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>

Subject: Draft communications plan for the CERCLA EPCRA reporting requirements

Hi Barry and Patrick,

Attached is the draft communications plan for the CERCLA / EPCRA reporting requirements for air releases of hazardous substances from animal waste at farms guidance.

It has been reviewed/approved by RID Division Director, K. Jennings.

OEM is currently working on the communications materials which will include a draft press release, desk statement, webpage update and Q&As.

- The press release mentioned in the plan would be targeted specifically to ag outlets only.
- OEM/ OGC are currently revising the draft Q&As.

Per your suggestion, once you have reviewed/approved the comms plan, I can share with Tate Bennett, to make sure we are not missing any key groups from our ListServ and then move it forward to OPA for input.

Please let me know if you have any questions or concerns.

Thank you,

Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](#)

<DRAFT Comm Plan for Animal Waste Emissions Guidance 10-3-17 (v.2).docx>

<DRAFT Desk Statement on Animal Waste Emissions Guidance 10-11-17.docx>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 10/26/2017 3:09:07 PM
To: Dewey, Amy [Dewey.Amy@epa.gov]
Subject: FW: EPA Releases Guidance on Reporting Air Emissions of Hazardous Substances from Animal Waste at Farms

DO NOT send this out yet please.

From: EPA Press Office [mailto:noreply-subscriptions@epa.gov]
Sent: Thursday, October 26, 2017 11:06 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: EPA Releases Guidance on Reporting Air Emissions of Hazardous Substances from Animal Waste at Farms

CONTACT: press@epa.gov

EPA Releases Guidance on Reporting Air Emissions of Hazardous Substances from Animal Waste at Farms

WASHINGTON (October 25, 2017) — Today, EPA is releasing guidance to assist farmers in reporting air releases of hazardous substances from animal waste at farms. EPA is making this information

available to provide time for farmers to review and prepare for the reporting deadline, currently set for November 15, 2017

“EPA is working diligently to address undue regulatory burden on American farmers,” **said Administrator Scott Pruitt**. “While we continue to examine our options for reporting requirements for emissions from animal waste, EPA’s guidance is designed to help farmers comply with the current requirements.”

On December 18, 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substances from animal waste. On April 11, 2017, the DC Circuit Court vacated this final rule. In response to a request from EPA, the DC Circuit Court extended the date by which farms must begin reporting these releases to November 15, 2017. Unless the court further delays this date, all farms (including those previously exempted) that have releases of hazardous substances to air from animal wastes equal to or greater than the reportable quantities for those hazardous substances within any 24-hour period must provide notification of such releases.

The EPA guidance information includes links to resources that farmers can use to calculate emissions tailored to specific species of livestock. To view EPA’s guidance and Frequently Asked Questions on reporting air emissions from animal waste: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>.

EPA will revise this guidance, as necessary, to reflect additional information to assist farm owners and operators to meet reporting obligations. Interested parties may submit comments or suggestions by November 24, 2017.



If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking [here](#).
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 2/7/2018 8:49:04 PM
To: Hewitt, James [hewitt.james@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]
CC: Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]
Subject: RE: FOR APPROVAL// 2.8.18 Trent Loos Brief

I am SO excited for this.

From: Hewitt, James
Sent: Wednesday, February 7, 2018 1:18 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: RE: FOR APPROVAL// 2.8.18 Trent Loos Brief

The host looks like the man.

From: Bowman, Liz
Sent: Wednesday, February 7, 2018 1:07 PM
To: Hewitt, James <hewitt.james@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: RE: FOR APPROVAL// 2.8.18 Trent Loos Brief

This makes me want to buy my kids a pig...I think I am going to find a little potbelly one!

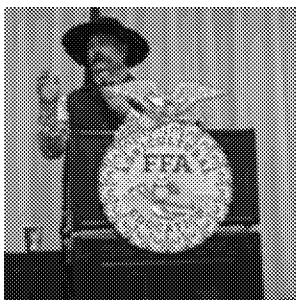
From: Hewitt, James
Sent: Wednesday, February 7, 2018 1:05 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: FOR APPROVAL// 2.8.18 Trent Loos Brief

Taped Radio Interview with Trent Loos on Loose Tales
Thursday, February 8, 2018 from 10:45 – 10:55 AM EST
Location: Administrator Pruitt's Office

ABOUT LOOSE TALES

Loos Tales is a one-hour radio show aimed at bridging rural and urban America that airs every day Monday-Friday. Loos Tales launched in January of 2001. Today, the show airs on over 100 stations nationwide and boasts 3 million listeners on-air and online.

ABOUT DAVID BRODY ...



Trent is a sixth generation United States farmer with a passion for agriculture that started years ago – he had his first pig when he was just 5 years old on the family farm near Quincy, IL. He established his strong rural foundation in farming side-by-side with his father and grandfather. In 2008, Trent was recognized as the “Voice of Rural America” by the West Quest organization for his ground-breaking work in advocating for agriculture..

TOPICS

WOTUS

EPA's Scott Pruitt touring states to push reversal of Obama water rule. “Environmental Protection Agency Administrator Scott Pruitt visited South Carolina Monday as part of a multistate tour to promote his effort to redo the Obama administration's contentious Waters of the U.S. rule. ‘The Trump administration and EPA are committed to empowering agriculture and business leaders who have been burdened with overreaching regulations that do little to promote environmental stewardship,’” ([The Washington Examiner](#), 07/24/17)

DICAMBA

EPA has taken action to minimize potential drift for dicamba. “The Environmental Protection Agency has announced new requirements for the use of dicamba formulations “over the top” to further minimize the potential for drift when applying to dicamba-tolerant soybeans and cotton. EPA worked with impacted states and land-grant universities, as well as Monsanto, BASF and DuPont on measures that will allow farmers to make informed choices for seed purchases for the 2018 growing season. Label changes that impose additional requirements for ‘over the top’ use of these products next year include classifying the products as “restricted use,” permitting only certified applicators with special training, and those under their supervision, to apply them and requiring farmers to maintain specific records regarding the use of these products to improve compliance with label restrictions ([AgWired](#), 10/16/17)

CERCLA

EPA still needs more time to refine guidance to industry on meeting reporting obligations for Cercla. “On Feb. 1, the U.S. Court of Appeals for the District of Columbia Circuit extended a stay of air emissions reporting from livestock wastes through at least May 1, 2018. The reporting deadline was scheduled for Jan. 22, when the U.S. Environmental Protection Agency asked for an additional 90-day extension. EPA had asked for an additional stay to provide the agency with more time to prepare for any reporting obligations. In its motion for stay, EPA cited a need for more time to refine guidance to industry on meeting the reporting obligations and to finalize agriculture-specific forms that would be used to report emissions from animal wastes to EPA. ([Feedstuffs](#), 2/2/18)

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/26/2018 12:14:34 AM
To: Thomas, Latosha [Thomas.Latosha@epa.gov]
CC: Lewis, Jen [Lewis.Jen@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Clark, Becki [Clark.Beki@epa.gov]; Gioffre, Patricia [Gioffre.Patricia@epa.gov]; Salo, Earl [Salo.Earl@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Subramanian, Hema [Subramanian.Hema@epa.gov]; Colip, Matthew [colip.matthew@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Janifer, Pamela [Janifer.Pamela@epa.gov]; Levine, Carolyn [Levine.Carolyn@epa.gov]; Hyman Moore, Julie [Hyman.Julie@epa.gov]; Roache, Brendan [Roache.Brendan@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Indermark, Michele [Indermark.Michele@epa.gov]
Subject: Re: UPDATED: Talking Points re: Animal Waste Reporting

Great. Thank you!

On Jan 25, 2018, at 6:49 PM, Thomas, Latosha <Thomas.Latosha@epa.gov> wrote:

Hi All,

Here are the updated TPs based on the comments I received. Thanks!

From: Lewis, Jen
Sent: Thursday, January 25, 2018 5:12 PM
To: Thomas, Latosha <Thomas.Latosha@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>
Cc: Cheatham, Reggie <cheatham.reggie@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Salo, Earl <Salo.Earl@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Roache, Brendan <Roache.Brendan@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>
Subject: RE: Talking Points re: Animal Waste Reporting

Attorney Client / Ex. 5

Jen Lewis
Deputy Associate General Counsel
Solid Waste and Emergency Response Law Office
(202) 564-2097

From: Thomas, Latosha
Sent: Thursday, January 25, 2018 4:46 PM
To: Jennings, Kim <Jennings.Kim@epa.gov>
Cc: Cheatham, Reggie <cheatham.reggie@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Salo, Earl <Salo.Earl@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent

<Benjamin.Kent@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Roache, Brendan <Roache.Brendan@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>

Subject: RE: Talking Points re: Animal Waste Reporting

Thanks, Kim!

From: Jennings, Kim

Sent: Thursday, January 25, 2018 4:35 PM

To: Thomas, Latosha <Thomas.Latosha@epa.gov>

Cc: Cheatham, Reggie <cheatham.reggie@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Salo, Earl <Salo.Earl@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Subramanian, Hema <Subramanian.Hema@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Hyman Moore, Julie <Hyman.Julie@epa.gov>; Roache, Brendan <Roache.Brendan@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>

Subject: Re: Talking Points re: Animal Waste Reporting

Hi Latosha,

Thanks for revising this looks great. One comment. The bullet point starting with "Emissions from farms..." seems out of place. I think that bullet should talk about that we understand the challenges farms face in estimating releases... (I think we have a paragraph or Q and A with some language) and follow it with the emissions study paragraph.

Sorry I am on my way home and using my phone to respond so I don't have access to the language.

Thanks,
Kim

On Jan 25, 2018, at 4:11 PM, Thomas, Latosha <Thomas.Latosha@epa.gov> wrote:

Hi,

I've updated talking points re: animal waste reporting that can be used both internally and externally. If you have any comments, please send to me by **5PM today**. Thanks!

Latosha Thomas
U.S. Environmental Protection Agency
OLEM/OEM/RMD
(202) 564-2621 (desk)

Cellular Phone / Ex. 6
thomas.latosha@epa.gov

<Talking Points (Animal Waste Reporting) 1.25.18.docx>

<Talking Points (Animal Waste Reporting) 1.25.18.docx>

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/22/2018 9:19:49 PM
To: Sands, Jeffrey [sands.jeffrey@epa.gov]
Subject: Re: Lunch tomorrow

Perfect

On Jan 22, 2018, at 4:19 PM, Sands, Jeffrey <sands.jeffrey@epa.gov> wrote:

Tate,

Please see below.

WPS

- <!--[if !supportLists]--><!--[endif]-->On December 14, 2017 EPA initiated a process to revise the ***minimum age, designated representative, and application exclusion zone***. By the end of fiscal year 2018, EPA expects to publish a Notice of Proposed Rulemaking to solicit public input on proposed revisions to the WPS requirements on those same three provisions. Updated Application Exclusion Zone guidance to further clarify what is required of applicators will be available to the public starting today. Original implementation dates remain in effect.

Certified Applicator Training

- <!--[if !supportLists]--><!--[endif]-->EPA has initiated a process to revise the ***minimum age*** requirements in the C&T rule. EPA expects to publish a Notice of Proposed Rulemaking to solicit public input on proposed revisions to the rule by the end of FY2018. Original implementation dates will remain in effect.

CERCLA/EPCRA Reporting

- <!--[if !supportLists]--><!--[endif]-->Due to a recent court decision, animal ag producers will have to begin reporting emissions from releases of hydrogen sulfide and ammonia as soon as January 22, 2018. The court vacated EPA's 2008 rule that exempted producers from having to report their emissions under CERCLA/EPCRA. EPA has taken the following actions in relation to this reporting requirement.
 - <!--[if !supportLists]--><!--[endif]-->On Friday, January 19, EPA filed a motion for further delay in issuance of the mandate for CERCLA reporting
 - <!--[if !supportLists]--><!--[endif]-->Exempted most farms from reporting under EPCRA due to usage of substances in "routine agricultural operations"
 - <!--[if !supportLists]--><!--[endif]-->EPA is examining long term regulatory options with regards to CERCLA reporting
 - <!--[if !supportLists]--><!--[endif]-->EPA has conducted outreach through fact sheets, online guidance, PSA for radio, and hosting calls with program office staff. Notably, EPA held a call with American Farm Bureau and state affiliates on January 22 to further educate producers the reporting requirement.

From: Bennett, Tate
Sent: Monday, January 22, 2018 1:31 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>
Subject: Lunch tomorrow

The Admin will be doing lunch with Zippy Duvall tomorrow (very introductory- not policy heavy). I'm working on a memo on how many farm bureaus he's visited with, etc.) Do you want to include anything

from your pesticides memo on WPS (literally like a few sentence update) and/or anything on CERCLA EPCRA? I could take a stab but I figured you might have something already, so no need to recreate the wheel!

Elizabeth Tate Bennett
Associate Administrator for Public Engagement & Environmental Education
Office of the Administrator
U.S. Environmental Protection Agency
(202) 564-1460
Bennett.Tate@epa.gov

Message

From: Gioffre, Patricia [Gioffre.Patricia@epa.gov]
Sent: 10/13/2017 2:18:41 PM
To: Davis, Patrick [davis.patrick@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Brown, Byron [brown.byron@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]
CC: Breen, Barry [Breen.Barry@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Clark, Becki [Clark.Beki@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Indermark, Michele [Indermark.Michele@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]
Subject: RE: CERCLA 103 Farm Emissions Guidance
Attachments: Guidance for Farms DRAFT 10122017 .docx

Yes, there is a revised version to reflect recommendations from OGC. See the attached version. The changes are in redline/strikeout.

Please let me know if you have any questions.

Best wishes!

Patty Gioffre
Acting Deputy Division Director
USEPA (OLEM/OEM/RID)
1200 Pennsylvania Ave. NW (5104A)
Washington, DC 20460
202-564-1972

Cellular Phone / Ex. 6

From: Davis, Patrick
Sent: Friday, October 13, 2017 9:59 AM
To: Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: RE: CERCLA 103 Farm Emissions Guidance

Hi Patti,

Did the CERCLA guidance document change on October 12?

If so, please send the most recent version that we intend to post on Monday, October 16.

Thanks,

Patrick Davis
Environmental Protection Agency
Deputy Assistant Administrator, Office of Land and Emergency Management
202-564-3103 office

Cellular Phone / Ex. 6

Information sent to this email address may be subject to FOIA.

From: Gioffre, Patricia

Sent: Wednesday, October 11, 2017 3:37 PM

To: Davis, Patrick <davis.patrick@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>

Cc: Breen, Barry <Breen.Barry@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Brooks, Becky <Brooks.Bekky@epa.gov>

Subject: CERCLA 103 Farm Emissions Guidance

Importance: High

Attached is the most recent version of the guidance for CERCLA 103 reporting. Please note that the hyperlinks in the document may not be active. We will have them working when they go live on the EPA website.

Let me know if you have any questions or concerns.

Best wishes!

Patty Gioffre

Acting Deputy Division Director

USEPA (OLEM/OEM/RID)

1200 Pennsylvania Ave. NW (5104A)

Washington, DC 20460

202-564-1972

Cellular Phone / Ex. 6

From: Davis, Patrick

Sent: Wednesday, October 11, 2017 12:08 PM

To: Bodine, Susan <bodine.susan@epa.gov>

Cc: Brown, Byron <brown.byron@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>

Subject: Re: Farm Emissions

Patti,

Please send this group the most recent version of the guidance.

Thanks,

Patrick Davis

Environmental Protection Agency

Deputy Associate Director, Office of Land and Emergency Management

202-564-3103 office

Cellular Phone / Ex. 6

Emails sent to this address may be subject to FOIA.

Sent from my iPhone

On Oct 11, 2017, at 11:26 AM, Bodine, Susan <bodine.susan@epa.gov> wrote:

Patrick, can you send us the most recent version of the guidance?

From: Davis, Patrick
Sent: Wednesday, October 11, 2017 9:57 AM
To: Brown, Byron <brown.byron@epa.gov>
Cc: Bodine, Susan <bodine.susan@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Subject: Re: Farm Emissions

Both EPCRA Q&A and cercla guidance will post on our website on October 16. OMB has the EPCRA Q&A and we expect it back from them by 10/12.

Patrick Davis
Environmental Protection Agency
Deputy Associate Director, Office of Land and Emergency Management
202-564-3103 office
Cellular Phone / Ex. 6

Emails sent to this address may be subject to FOIA.

Sent from my iPhone

On Oct 10, 2017, at 5:34 PM, Brown, Byron <brown.byron@epa.gov> wrote:

The website (link below) says guidance is to be issued by 10/16, so I'm trying to confirm if that refers to the longer document about how to calculate emissions or the Q/A. If it's the longer document, has that been released?

<https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>

From: Bodine, Susan
Sent: Tuesday, October 10, 2017 5:32 PM
To: Brown, Byron <brown.byron@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Subject: RE: Farm Emissions

I thought the guidance did not go to OMB, only the Q&A.

Deliberative Process / Ex. 5

Patrick, do you have an updated version?

From: Brown, Byron
Sent: Tuesday, October 10, 2017 5:28 PM
To: Davis, Patrick <davis.patrick@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>
Subject: Farm Emissions

Just wanted to clarify whether we have issued the draft guidance for calculating emissions (attached), and if not when we expect to release it. And separately would like to confirm that the draft we sent to OMB is the EPCRA interpretive rule/guidance on

routine agricultural operations. Any idea on timing – whether that will get released before Nov. deadline. Thanks.

Byron R. Brown
Deputy Chief of Staff for Policy
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Gioffre, Patricia [Gioffre.Patricia@epa.gov]
Sent: 1/12/2018 2:03:43 PM
To: Bodine, Susan [bodine.susan@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Thomas, Latosha [Thomas.Latosha@epa.gov]; Jennings, Kim [Jennings.Kim@epa.gov]
CC: Subramanian, Hema [Subramanian.Hema@epa.gov]
Subject: RE: Fact Sheet Revision
Attachments: CERCLA EPCRA Factsheet FINAL 1-12-18 0900.docx

Yes, they add clarity. Thanks so much!
Revised factsheet is attached.

Patty Gioffre
US EPA/OLEM/OEM
202-564-1972
202-748-7139 (cell)

[Follow OLEM](#) on Twitter @EPALand

From: Bodine, Susan
Sent: Friday, January 12, 2018 8:54 AM
To: Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: Fact Sheet Revision

If you think they add clarity.

From: Gioffre, Patricia
Sent: Friday, January 12, 2018 8:54 AM
To: Bodine, Susan <bodine.susan@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: Fact Sheet Revision

Sorry. I missed the text changes. One more version to follow. My apologies!

Patty Gioffre
US EPA/OLEM/OEM
202-564-1972
202-748-7139 (cell)

[Follow OLEM](#) on Twitter @EPALand

From: Bodine, Susan
Sent: Friday, January 12, 2018 8:49 AM
To: Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Grantham, Nancy

<Grantham.Nancy@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>

Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>

Subject: RE: Fact Sheet Revision

Thanks.

Shouldn't these two be in reverse order? Annual review and review following change in operations applies to continuous release reporting.

How often do I need to estimate emissions?

You must annually review emissions from the farm. You'll also need to estimate emissions following any significant changes in operations that may result in statistically significant increases in emissions.

How do I report for CERCLA?

To comply with CERCLA reporting requirements for air releases of hazardous substances from animal waste, farms may follow a streamlined reporting process known as "continuous release reporting." This requires the facility owner or operator to follow the steps outlined in the column to the right.

To read:

How do I report for CERCLA?

To comply with CERCLA reporting requirements for air releases of hazardous substances from animal waste, instead of reporting every day farms may follow a streamlined reporting process known as "continuous release reporting." This requires the facility owner or operator to follow the steps outlined in the column to the right.

How often do I need to estimate emissions?

If you use the continuous release reporting process you need to review emissions from the farm once a year. You'll also need to estimate emissions following any significant changes in operations that may result in statistically significant increases in emissions.

From: Gioffre, Patricia

Sent: Friday, January 12, 2018 8:36 AM

To: Bodine, Susan <bodine.susan@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Jennings, Kim <jennings.kim@epa.gov>

Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>

Subject: RE: Fact Sheet Revision

All- Thanks for the language. In making changes to respond to USDA, we deleted the question on how to reduce emissions from the factsheet (since there is no requirement to reduce emissions). Due to restructuring, we added the following question to the body of the worksheet and I added a sentence in there (see yellow).

How do I estimate releases?

To help you comply with the reporting requirements, EPA has made resources available on its website that may be helpful in estimating emissions. You may also use other models for estimating emissions or you may estimate quantities of releases by relying on:

- Past release data;
- Engineering estimates;
- Your knowledge of the facility's operations and release history; or
- Your best professional judgment.

Facility owners and operators are required to report an estimate only- monitoring data is not required. Additionally, farmers are not required to reduce emissions. Farmers should keep a copy of the calculation for future reference. For more information, please see the Resources link at: www.epa.gov/animalwaste.

The factsheet is attached. This version should be ready for translation.

Patty Gioffre
US EPA/OLEM/OEM
202-564-1972
202-748-7139 (cell)

[Follow OLEM](#) on Twitter @EPALand

From: Bodine, Susan
Sent: Thursday, January 11, 2018 5:52 PM
To: Sands, Jeffrey <sands.jeffrey@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: RE: Fact Sheet Revision

It would go in the following paragraph:

How can I reduce emissions?

Farmers are not required to reduce emissions, but for farmers that want to reduce emissions EPA and United States Department of Agriculture (USDA) developed a reference guide that provides conservation measures for reducing air pollutant emissions and/or reducing air quality impacts from livestock and poultry operations. See: www.epa.gov/afos-air/agricultural-air-quality-conservation-measures-reference-guide-poultry-and-livestock.

From: Sands, Jeffrey
Sent: Thursday, January 11, 2018 5:48 PM
To: Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>
Cc: Subramanian, Hema <Subramanian.Hema@epa.gov>
Subject: Fact Sheet Revision

Team,

Based on a recent call with Senate Minority, a point was raised that there may be confusion about whether farmers are required to reduce emissions based on the language in the fact sheet. We would recommend inserting a sentence that states "farmers are not required to reduce emissions" near any reference to the guidance.

I understand there is a call being scheduled for tomorrow, we can discuss further then.

Best,

Jeffrey Sands
Senior Advisor to the Administrator for Agriculture Policy
1200 Pennsylvania Ave, NW
2415 WJC North

Washington, DC 20460
(202) 564-2263

Message

From: Bodine, Susan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8C2CC6086FCC44C3BE6B5D32B262D983-BODINE, SUS]
Sent: 10/10/2017 9:58:45 PM
To: Brown, Byron [brown.byron@epa.gov]
Subject: RE: Farm Emissions

It is both and not yet released.

From: Brown, Byron
Sent: Tuesday, October 10, 2017 5:34 PM
To: Bodine, Susan <bodine.susan@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Subject: RE: Farm Emissions

The website (link below) says guidance is to be issued by 10/16, so I'm trying to confirm if that refers to the longer document about how to calculate emissions or the Q/A. If it's the longer document, has that been released?

<https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>

From: Bodine, Susan
Sent: Tuesday, October 10, 2017 5:32 PM
To: Brown, Byron <brown.byron@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Subject: RE: Farm Emissions

I thought the guidance did not go to OMB, only the Q&A.

Deliberative Process / Ex. 5

Patrick, do you have an updated version?

From: Brown, Byron
Sent: Tuesday, October 10, 2017 5:28 PM
To: Davis, Patrick <davis.patrick@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>
Subject: Farm Emissions

Just wanted to clarify whether we have issued the draft guidance for calculating emissions (attached), and if not when we expect to release it. And separately would like to confirm that the draft we sent to OMB is the EPCRA interpretive rule/guidance on routine agricultural operations. Any idea on timing – whether that will get released before Nov. deadline. Thanks.

Byron R. Brown
Deputy Chief of Staff for Policy
Office of the Administrator

Message

From: Bodine, Susan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8C2CC6086FCC44C3BE6B5D32B262D983-BODINE, SUS]
Sent: 9/12/2017 10:14:11 PM
To: Bailey, Ethel [Bailey.Ethel@epa.gov]
Subject: FW: EPCRA/CERCLA Ag Guidance Check-in - dial in - **Conference Number / Ex. 6**

From: Davis, Patrick
Sent: Tuesday, September 12, 2017 2:51 PM
To: Darwin, Veronica <darwin.veronica@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jacob, Sicy <Jacob.Sicy@epa.gov>; Franklin, Kathy <Franklin.Kathy@epa.gov>; Principe, Vanessa <Principe.Vanessa@epa.gov>; Brooks, Becky <Brooks.Beky@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Taylor, Trish <Taylor.Trish@epa.gov>
Subject: RE: EPCRA/CERCLA Ag Guidance Check-in - dial in - **Conference Number / Ex. 6**

CERCLA/EPCRA

September 13 agenda

1. Guidance status – Kim Jennings/working group (BHAG deadline October 1)
2. Congressional action status
3. Seeking an additional delay – January 15, 2018
4. One and done reporting option
5. Reporting form design, required information, and identifying information – paper forms
6. One entity receiving reports – convenient for farmers
7. Compliance assistance
8. Communicating to 100,000 farmers:
 - a. Ag Producer groups
 - b. National ag broadcasters convention, November 15 in KC
 - c. Compliance seminars at farm/home shows
 - d. USDA state director network
 - e. State ag schools
 - f. State ag commissioners
 - g. Website
9. Other issues to consider

Patrick Davis
Environmental Protection Agency
Deputy Assistant Administrator, Office of Land and Emergency Management
202-564-3103 office
202-380-8341 cell

Information sent to this email address may be subject to FOIA.

-----Original Appointment-----

From: Hill, Teresa **On Behalf Of** Davis, Patrick

Sent: Thursday, September 7, 2017 3:53 PM

To: Davis, Patrick; Darwin, Veronica; Kim Jennings (Jennings.Kim@epa.gov); Clark, Becki; Gioffre, Patricia; Jacob, Sicy; Franklin, Kathy; Principe, Vanessa; Brooks, Becky; Bodine, Susan

Cc: Breen, Barry; Fotouhi, David; Taylor, Trish

Subject: EPCRA/CERCLA Ag Guidance Check-in - dial in - Conference Number / Ex. 6

When: Wednesday, September 13, 2017 11:00 AM-11:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: 3146 epaw

Message

From: Bodine, Susan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8C2CC6086FCC44C3BE6B5D32B262D983-BODINE, SUS]
Sent: 2/26/2018 6:55:40 PM
To: Jackson, Ryan [jackson.ryan@epa.gov]; Wehrum, Bill [Wehrum.Bill@epa.gov]; Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Woods, Clint [woods.Clint@epa.gov]; Ross, David P [ross.davidp@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov]; Greenwalt, Sarah [greenwalt.sarah@epa.gov]; Leopold, Matt [Leopold.Matt@epa.gov]; Baptist, Erik [baptist.erik@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Dravis, Samantha [dravis.samantha@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]; Letendre, Daisy [letendre.daisy@epa.gov]; Brown, Byron [brown.byron@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]; Konkus, John [konkus.john@epa.gov]; Block, Molly [block.molly@epa.gov]
Subject: RE: annual report
Attachments: DRAFT FORMATTED Year in Review 2.25.18 spb edits.docx; Enforcement talking points v3.docx

Ryan,

Just a few edits/comments. Also, the enforcement examples are all from a document we prepared before SP's House hearing. Attached is an updated version prepared before the January EPW hearing. I recommend switching out one of the examples in the annual report with Indiana Harbor Coke on page 4 of the talking points.

From: Jackson, Ryan
Sent: Monday, February 26, 2018 10:29 AM
To: Wehrum, Bill <Wehrum.Bill@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Woods, Clint <woods.clint@epa.gov>; Ross, David P <ross.davidp@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; Baptist, Erik <Baptist.Erik@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Konkus, John <konkus.john@epa.gov>; Block, Molly <block.molly@epa.gov>
Subject: RE: annual report

Please take a look at your sections or have an appropriate person in your office take a look at your sections. We would like to release this week with an article associated with it. We are simply looking for accurate check rather than rewrites so if you could contribute by mid afternoon, it would help the overall timeline. Thanks.

From: Jackson, Ryan
Sent: Sunday, February 25, 2018 1:37 PM
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Subject: annual report

All – the OPA has done an outstanding job putting together a report to highlight items from this past year. I would like to release this by posting to our website. Can you look through your sections to ensure we've characterized your issues is the most correct way?

Much appreciated to Daisy, John, and ultimately Molly Block who did the final formatting and applied the layman's test to the text to ensure it's understandable.

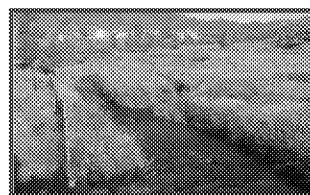
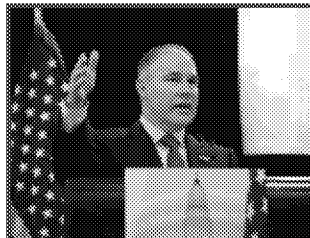
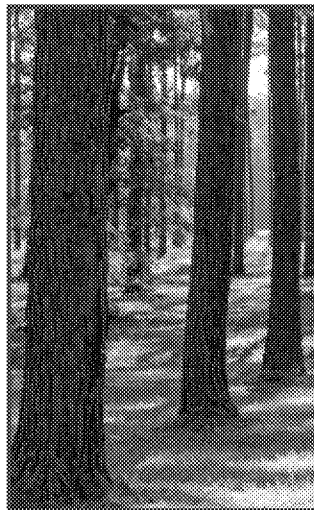
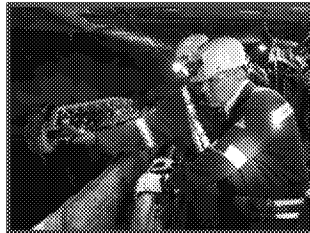
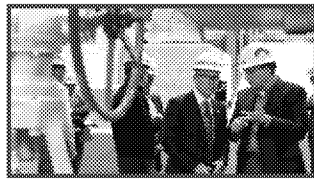
Really nice work.

Ryan Jackson
Chief of Staff
U.S. Environmental Protection Agency

Personal Phone / Ex. 6



EPA Administrator Scott Pruitt: Year in Review **2017-2018**



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Accomplishments

- ✓ Repealed Job-Killing, Burdensome, Duplicative Regulations
- ✓ Eliminated Agency Backlogs, Improved Efficiency and Effectiveness
- ✓ Increased Transparency, Accountability
- ✓ Returned to Cooperative Federalism
- ✓ Restored the Rule of Law, Process
- ✓ Improved Compliance and Assistance

In one year, EPA Administrator Scott Pruitt spearheaded **22 de-regulatory actions** that saved the American people more than **\$1 billion** in regulatory costs.

By the Numbers:

- ✓ AIR: 206 State Implementation Plans (SIPs) approved, clearing a backlog of 700+ unapproved SIPs; EPA has turned one Federal Implementation Plan (FIP) into a SIP each month, since March 1, 2017
- ✓ WATER: 3,000 Total Maximum Daily Loads (TMDLs) approved, focused on the priority water bodies selected by the states. EPA also cut the amount of time it took the Agency to approve state water quality standards in half (from 120 days to 60), and awarded \$25 million in water infrastructure loans, disbursed \$1.4 billion in State Revolving Funds to improve our nation's water quality, and awarded \$100 million to Flint, Mich. for water infrastructure upgrades.
- ✓ LAND: Seven contaminated sites were eliminated, substantially or entirely, from the National Priority List of contaminated sites; only one site was removed the previous year. EPA also awarded \$60 million in brownfield clean-up grants to local communities.
- ✓ CHEMICALS: 600 new-chemical submissions were stuck in the Agency's backlog as of January 2017; EPA cleared the backlog and ensured that all new chemicals coming to market received an affirmative safety determination within about 90 days.
- ✓ ENFORCEMENT: In FY17, \$1.6 billion in administrative and civil judicial penalties ~~in FY17~~, higher than any of the previous 10 years, other than FY16, which included one \$5.7 billion action taken. EPA also celebrated an increase in the value of commitments by private parties to clean up land to more than \$1.2 billion, an increase in the total of criminal fines, restitution and mitigation to \$2.98 billion and an increase in the value of actions to improve compliance to nearly \$20 billion.
- ✓ OUTREACH: Administrator Pruitt consulted with 95 bipartisan Members of Congress, 30 bipartisan governors, visited 30 states and U.S. territories, and met with over 350 stakeholder groups.
- ✓ IMPLEMENTING EXECUTIVE ORDERS: EPA quickly acted on President Donald Trump's E.O. to review and rescind the 2015 definition of "Waters of the U.S."; President Trump's Energy Independence E.O. by proposing to repeal the so-called "Clean Power Plan"; and, President Trump's "Regulatory Reform" E.O. 13777 by finalizing two de-regulatory actions for each regulatory action – with ZERO net costs to the U.S. economy.
- ✓ REGULATORY REFORM: 22 deregulatory actions were finalized, saving more than \$1 billion in regulatory costs; EPA also initiated work on an additional 44 deregulatory actions and announced the reconsideration of over a dozen overreaching and burdensome regulations.

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Introduction

The U.S. Environmental Protection Agency (EPA) plays a vital role in American society. It is a role that is clearly defined by Congress, its statutes and, from time to time, the courts. EPA most-effectively protects the environment and human health when it operates within the bounds of its authority. However, when EPA strays outside that role, like it has in recent years, it encumbers both environmental protections and economic growth.

At the outset of Administrator Pruitt's tenure, he set forth a "back-to-basics agenda" centered on returning EPA to its proper Constitutional role via three objectives: (1) refocusing the Agency back to its core mission; (2) restoring power to the states through cooperative federalism; and (3) adhering to the rule of law and improving Agency processes. In one year we have made tremendous environmental progress in line with these goals. And, that progress shows that we can be both pro-environment, and pro-growth.

The combination of a refocused Agency, cooperative federalism and rule of law, like tributaries converging into a mighty river, has unleashed a new optimism throughout the nation. Americans can trust that environmental hazards will be addressed quickly and thoroughly; states and industry will be treated as partners, not opponents; and regulations will provide clarity, not confusion. The results are a cleaner, safer and stronger America for all.

Core Mission

The first of the three pillars of Administrator Pruitt's "back-to-basics agenda" is to refocus the Agency on its core mission: clean air, land and water. The EPA was founded in 1970 in order to consolidate the federal government's environmental efforts under one roof and

better enforce the environmental laws passed by Congress. However, in recent years, EPA expanded its authority and jurisdiction into areas outside its core mission. In the process, central responsibilities of the Agency took a backseat to ideological crusades, allowing some environmental threats – like cleaning up toxic land – to go unaddressed. Administrator Pruitt returned the Agency to its core mission and prioritized issues at the heart of EPA's purpose: ensuring access to clean air and water, cleaning up contaminated lands and returning them to communities for reuse, improving water infrastructure, and ensuring chemicals entering the marketplace are reviewed for safety. In just one year, EPA made immense progress on these fronts, and the American people have seen real, tangible results.

AIR: Improve Air Quality

Clean Power Plan

The so-called Clean Power Plan not only exceeded the Agency's statutory authority – and the U.S. Supreme Court agreed – but it also imposed unnecessary regulatory burdens on affordable energy for hardworking American families. Implementing President Trump's Energy Independence Executive Order, Administrator Pruitt took steps to propose a repeal of the so-called Clean Power Plan (CPP) on October 10, 2017. EPA's action on CPP is estimated to save the U.S. economy up to \$33 billion in avoided compliance costs.

As part of the on-going repeal process, the Agency heard directly from stakeholders and citizens most impacted by the rule, including a listening session in Charleston, West Virginia – the heart of coal country. Three additional listening sessions took place in Kansas City, Missouri; San Francisco, California; and Gillette, Wyoming.

Commented [2]: Really?

In a separate, but related action, EPA issued an Advance Notice of Proposed Rulemaking (ANPRM) to solicit information from the public about a potential replacement to CPP that would be consistent with the Clean Air Act for regulating emissions from power plants.

Ozone

EPA is committed to prioritizing air quality improvements and partnering with states in the effort to ensure more Americans are living and working in areas that meet our nation's stringent air quality standards. Under current measurements, roughly 40 percent of the nation fails to meet attainment standards set under the National Ambient Air Quality Standards (NAAQS). Under Administrator Pruitt's leadership, EPA gave states more flexibility by extending the deadline to designate 2015 National Ambient Air Quality Standards (NAAQS) for ozone. EPA also worked with states to develop air quality plans, address underlying technical issues and ensure that more Americans are living and working in areas that meet NAAQS. Administrator Pruitt also established an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Consistent with Administrator Pruitt's pledge to be more responsive to local needs, on November 6, 2017, EPA announced it was moving forward with designations for 90 percent of the country.

State Implementation Plans

Rather than work cooperatively with states to implement clean air programs, President Obama's EPA imposed more than 50 Federal Implementation Plans (FIPs) – the equivalent of a top-down mandate – on states. Under Pruitt's leadership, EPA has turned at least one FIP into a State Implementation Plan (SIP) approximately every month. Administrator

Pruitt also inherited a backlog of over 700 unapproved SIPs upon taking office. Since March 2017, EPA has worked with states to approve 206 SIPs. EPA recognizes that states have an enormous role to play in environmental protection and we can improve outcomes through collaboration, not federal dictates.

- During the Obama Administration, more than 50 FIPs were imposed on states, including nearly 20 under the Regional Haze program
- Under the Trump Administration, with EPA Administrator Pruitt's leadership, EPA has turned at least one FIP into a SIP approximately every month
- Over 200 SIPs have been approved since March 1, 2017

Coal Ash

EPA's core mission reflects the belief that states play an integral role in environmental protection. In keeping with this notion, Administrator Pruitt informed states that the Agency is working on guidance for implementing state permitting programs to manage the safe disposal of coal combustion residuals (CCR), also known as "coal ash." The new guidance – included in the Water Infrastructure Improvements for the Nation Act (WIIN Act) – allows flexibility in individual CCR permits by enabling states to decide what works best for their environment and the continued beneficial use of coal ash.

EPA released interim guidance to help states develop and submit permit programs putting more states on track to obtain CCR authority.

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The interim guidance establishes a framework to outline EPA's approval process and also provides checklists to aid states as they develop their programs.

Renewable Fuels Standard

As directed by the Clean Air Act, EPA finalized volume requirements for the Renewable Fuel Standard (RFS) maintaining renewable fuel volumes at levels comparable to the 2017 standards, recognizing limits to the growth of cellulosic and advanced biofuels and understanding both market realities and consumer demand. The proposed standards will help stabilize the renewable fuels program and provide certainty for stakeholders.

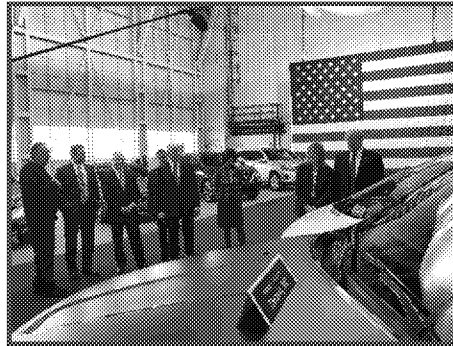
"Once In, Always In"

In a 1995 memo, EPA established a "once in always in" policy that determined that any facility subject to major source standards would always remain subject to those standards, even if production processes changed or controls were implemented that eliminated or permanently reduced that facility's potential to emit hazardous air pollutants. This policy is a disincentive to efforts to improve air quality and is also inconsistent with the Clean Air Act.

EPA issued a guidance memorandum in January 2018 withdrawing the "once in always in" policy. The memo from EPA's Office of Air and Radiation Assistant Administrator Bill Wehrum finds that EPA had no statutory authority under the Act to place a time limit on when a facility may be determined to be an area source and that a plain language reading of the Act must allow facilities to be reclassified as area sources once their potential to emit hazardous air pollutants falls below the levels that define major sources. This action represents another step by EPA to reduce burdens that deterred one of its core efforts: improving air quality.

Fuel Economy Standards

EPA has taken multiple steps over the past year to review the regulatory overreach of the previous administration on the transportation sector.



Administrator Pruitt traveled to Ypsilanti, MI with Transportation Secretary Chao and President Trump to discuss CAFE standards.

Alongside Department of Transportation (DOT) Secretary Elaine Chao, Administrator Pruitt announced the agencies intentions to reopen the public comment period for the previous administration's finalized standards on fuel economy for cars and light-duty trucks for Model Year 2025 to ensure that the program is beneficial for both consumers and the environment.

EPA also reviewed and then issued a proposal to undo the regulatory overreach of the Phase II Fuel Efficiency Standards for medium and heavy duty trucks.

Agriculture Emissions Reporting

EPA twice requested and the D.C. Circuit Court approved extensions for reporting air releases from animal waste. EPA sought and attained additional time in order to provide compliance assistance to farmers, update its guidance and develop a more-streamlined reporting form.

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Landfill Methane

EPA instituted a 90-day administrative stay for the August 2016 New Source Performance Standards and Emissions Guidelines for municipal solid waste landfills to reconsider portions of the standards and guidelines. EPA estimates that implementing these rules would cost businesses more than \$100 million annually.

WATER: Provide for Clean and Safe Water

Waters of the United States (WOTUS)

One of the more egregious examples of EPA overstepping its authority occurred with a the 2015 Clean Water Rule rule defining definition of a "Water of the United States." On February 28, 2017, President Donald Trump issued an Executive Order directing EPA and the U.S. Army Corps of Engineers to review and rescind (or revise) it. Within a few months, the agencies proposed a rule to rescind the 2015 WOTUS to provide regulatory certainty to American farmers, landowners and businesses and put

“ We are taking significant action to return power to the states and provide regulatory certainty to our nation's farmers and businesses. This is the first step in the two-step process to redefine 'waters of the U.S.' and we are committed to moving through this re-evaluation to quickly provide regulatory certainty, in a way that is thoughtful, transparent and collaborative with other agencies and the public.

- EPA Administrator Scott Pruitt

an end to one-size-fits-all regulations from Washington. ”

In the interim, EPA and Army Corps finalized issued a second rulemaking to postpone the applicability of the 2015 WOTUS rule until February 6, 2020, re-evaluate the definition. This postponement will allow EPA to reevaluate the 2015 rule and will ensure any future proposed rule is the status quo is maintained until that process is complete, implemented consistent with Supreme Court decisions, agency guidance, and longstanding practice.

Commented [3]: Needs to be revised. We finalized a rule to delay the effective date



Administrator Pruitt addresses members of the Tennessee Farm Bureau in Franklin.



Administrator Pruitt talks with members of Nevada, IA Future Farmers of America.

Water Infrastructure

Our nation's water infrastructure is in dire need of repair. Roughly 700 water main breaks occur across the United States every day – over 200,000 per year. Not surprisingly, the American Society of Civil Engineers gave our

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nation's drinking water, wastewater and hazardous waste infrastructure a "D" grade. Then there's the problem of lead in our drinking water. The contamination in Flint, Michigan awakened much of the nation to the harms of lead poisoning. EPA has taken important steps to aid Flint's recovery and improve water infrastructure across the nation.

Flint, Michigan

In March 2017, EPA awarded a \$100 million grant to the Michigan Department of Environmental Quality to accelerate and expand its work to replace lead service lines and make other critical infrastructure improvements. Later in the year, EPA completed a period review of Michigan's drinking water program and released a report identifying key steps the state should take to ensure they are providing safe and clean drinking water.

In addition, EPA concurred with Michigan's plans to forgive Flint's past drinking water debt. Over the past year, EPA has worked in partnership with the State of Michigan and the City of Flint to ensure that water quality continues to improve. This partnership has produced one of the most robust drinking water data sets in the country and EPA remains committed to working closely with the state of Michigan, Flint and local partners to protect public health and ensure that Flint's water quality continues to remain safe to drink.

WHAT THEY'RE SAYING:

"The people of Flint and all Americans deserve a more responsive federal government," said EPA Administrator Scott Pruitt.

"We are excited and very grateful to receive these much needed funds," said Flint Mayor Karen Weaver. *"The City of Flint being awarded a grant of this magnitude in such a critical time of need will be a huge benefit. As we prepare to start the next phase of the FAST Start pipe replacement program, these funds will give us what we need to reach our goal of replacing 6,000 pipes this year and make other needed infrastructure improvements. We look forward to the continued support of the EPA and federal government."*

BY THE NUMBERS:

\$100 Million grant to Michigan Department of Environmental Quality

\$1 Billion leveraged from WIFIA loans for water infrastructure upgrades

\$5.1 Billion in total water infrastructure investment spurred from EPA grants and loans

WIFIA

Critical to improving the nation's water infrastructure is the Water Infrastructure Finance and Innovation Act (WIFIA). This year's projects receiving WIFIA loans will leverage more than \$1 billion in private capital and other funding sources, including EPA's State Revolving Fund (SRF) loans, to help finance a total of \$5.1 billion in water infrastructure investments.

Effluent Limitations Guidelines

After careful reconsideration, EPA finalized a rule postponing certain compliance dates by two years for the effluent limitations guidelines and standards for steam electric power plants under the Clean Water Act (ELG Rule). It has been estimated to cost \$480 million annually including \$1.2 billion annually during the first five years of compliance.

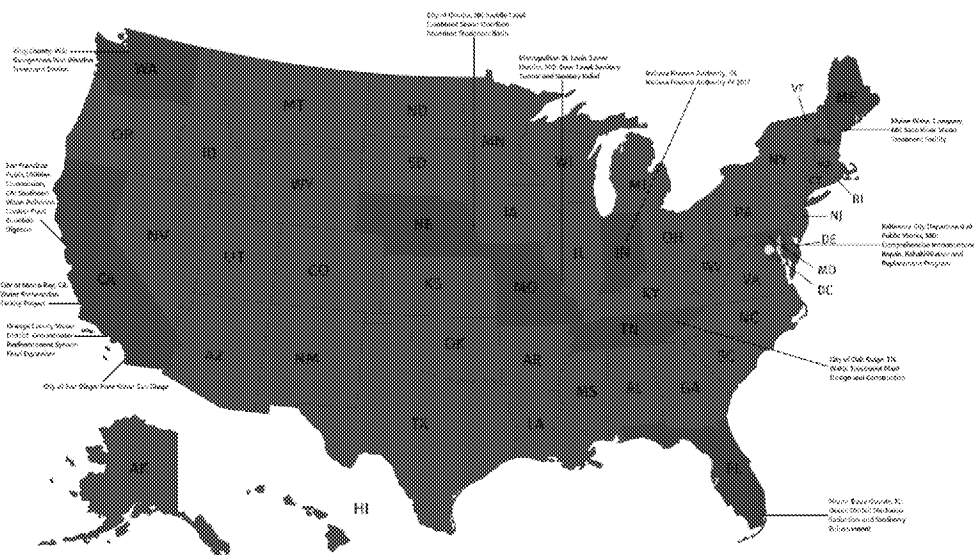
LAND: Revitalize Land for Reuse

Superfund

The number of toxic sites being added to EPA's National Priorities List has increased under every administration since the first list was released under President Ronald Reagan. Administrator Pruitt is putting an end to this trend. By the end of 2018, EPA will be on track to close, in whole or part, 27 Superfund sites.

“ I am making it a priority to ensure contaminated sites get cleaned up. We will be more hands-on to ensure proper oversight and attention to the Superfund program at the highest levels of the Agency, and to create consistency across states. ”

- EPA Administrator Scott Pruitt



From wastewater and drinking water to storm water and water recycling projects, WIFIA loans financed water infrastructure improvements across the country

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Ensuring the Superfund program and EPA's land and water cleanup efforts operate effectively and efficiently is a cornerstone of the Agency's core mission. In elevating EPA's focus on Superfund cleanup, Administrator Pruitt created a Superfund Task Force -- comprised of Agency experts from the Office of Land and Emergency Management, Office of Enforcement and Compliance Assurance, Office of General Counsel, and Regional Offices -- to streamline and improve the program.

Within a few months, the Superfund Task Force released their report providing 42 specific and detailed recommendations under the following overarching goals:

1. Expediting Cleanup and Remediation
2. Re-invigorating Responsible Party Cleanup and Reuse
3. Encouraging Private Investment
4. Promoting Redevelopment and Community Revitalization
5. Engaging Partners and Stakeholders

Following the recommendations of the Superfund Task Force, Administrator Pruitt released two dynamic lists of Superfund sites on the National Priorities List (NPL) including those 21 sites targeted for immediate and intense attention and 31 sites with the greatest expected redevelopment and commercial potential.

The first list includes sites that will benefit from Administrator Pruitt's direct engagement and have identifiable actions to protect human health and the environment. These are sites requiring timely resolution of specific issues to expedite cleanup and redevelopment efforts. Ultimately, it is designed to spur

SUPERFUND SUCCESS

East Chicago

As one of his first acts in office, Administrator Pruitt visited the USS Lead Superfund Site in East Chicago, Indiana -- something no other EPA Administrator had done. This specific site was listed on both the NPL in 2009 and Administrator Pruitt's list of sites targeted for immediate and intense action. After visiting the site, EPA began taking public comment and Administrator Pruitt ordered potentially responsible parties to clean-up the site. In meeting with East Chicago residents, federal, state and local offices, he pledged improved coordination and communications as cleanup continues.

Years of Inaction Are Over: West Lake

On February 1, 2018, after decades of inaction, EPA put forth its plan to clean up the West Lake Landfill, a dumping ground for radioactive waste from the Manhattan Project. The plan will remove a majority of the dangerous radioactive material posing unacceptable risks to the public.

- ✓ "I can tell you that we are happy with this decision, and what this does for us is it gives us direction. We've gone without a decision at the site for 10 years, and it's time that we have direction," said Karen Nickel of the Just Moms STL advocacy group. ([St. Louis' CBS Radio](#), 02/01/18)

San Jacinto

The cleanup plan to address highly toxic dioxin contamination at the San Jacinto Waste Pits Superfund site in Harris County, Texas was approved by Administrator Pruitt in the fall of 2017. The plan provides certainty to both people living near the site -- by permanently addressing risk posed by the contamination -- and economic interests including the businesses that rely on the San Jacinto River for navigation and the Interstate-10 transportation corridor.

- ✓ "Not long after Hurricane Harvey battered Houston last summer, Environmental Protection Agency Administrator Scott Pruitt stood on the banks of the San Jacinto River and surveyed a decades-old toxic waste site as divers checked whether the storm had unearthed dangerous chemicals. Days later, he ordered two corporations to spend \$115 million to excavate the contamination rather than leaving it covered." ([Washington Post](#), 01/23/18)

action at sites where opportunities exist to act quickly and comprehensively.

Superfund redevelopment has helped countless communities reclaim and reuse thousands of acres of formerly contaminated land. The redevelopment list easily directs interested developers and potential owners to Superfund sites with redevelopment potential, but does not necessarily include all possible sites with similar potential.

In addition, EPA completed deletion activities at seven sites on the Superfund NPL in Administrator Pruitt's first year, up from two in 2016. These sites from Minnesota and Massachusetts to Wyoming and

“ I urged then President-elect Trump to stop the EPA's overreach into state regulation harming Montana businesses. Instead of threatening the very industries that are a backbone of our Western economies, we need to support American families and American businesses to secure our mineral and energy independence. I am pleased the EPA has taken action. ”

- U.S. Senate Western Caucus
Chairman Steve Daines (R-MT)

Nebraska reflect Administrator Pruitt's commitment to accelerating progress, reducing risks at Superfund site sans returning sites to productive use.

CERCLA Hardrock Mining

In January 2017, the previous administration proposed regulations under section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) that would have imposed financial responsibility

requirements on certain hardrock mining facilities. After careful analysis of nearly 11,000 public comments and the Agency's statutory authority, EPA announced in December 2017 that it would not issue the final rule. The risks associated with these facilities' operations are already addressed by existing federal and state programs and industry practice. This decision saved American businesses and the mining industry up to \$171 million a year.

CHEMICALS: Ensure Safety of Chemicals

Implemented the Updated Toxic Substances Control Act (TSCA)

EPA is working diligently to implement TSCA, the first major update to an environmental statute in 20 years, and ensure that the most modern and safe chemicals get to market quickly in order to provide regulatory certainty for manufacturers and confidence for American consumers.

Under the 2016 Frank R. Lautenberg Chemical Safety for the 21st Century Act, which amended the Toxic Substances Control Act (TSCA), EPA is responsible for reviewing and approving the safety of new chemicals intent on entering the U.S. marketplace. When Administrator Pruitt was confirmed, over 600 new chemicals were stuck in review. Within four months of being confirmed, EPA halved the backlog of new chemical submissions being reviewed under TSCA, and by July, Administrator Pruitt effectively eliminated the backlog.

In addition, EPA exceeded expectations and met its statutory responsibilities under TSCA on the one-year anniversary of the Frank R. Lautenberg Chemical Safety for the 21st Century Act. This included issuing three new rules, providing a guidance document for external parties and releasing the scoping documents for the first 10 risk evaluations.

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Chlorpyrifos

In 2007, EPA received a petition asking the Agency to revoke the tolerances for the pesticide chlorpyrifos. Given that the Ninth Circuit would not provide additional time for a new administration to review the issue, EPA denied the petition, based on the lack of time, divergent views from the cabinet departments and the fact that the scheduled FIFRA review for all pesticides, including chlorpyrifos, allows for a public process that included more time to further evaluate the science and come to a clearer scientific resolution of the issues.

On July 18, 2017, the Ninth Circuit ruled in EPA's favor, refusing to short-circuit the process established by Congress to challenge a denial of a petition to revoke a tolerance, affording EPA additional time to conduct a proper evaluation under the law of the science and the studies on chlorpyrifos and provide clarity about the pesticides' safety to the American people.

Dicamba

On October 13, 2017, EPA reached an agreement with manufacturers on measures to further minimize the potential for dicamba drift to damage neighboring crops. New requirements for the use of dicamba "over the top" (application to growing plants) will allow farmers to make informed choices for seed purchases for the 2018 growing season. EPA worked cooperatively with states, land-grant universities and pesticide manufacturers to examine the underlying causes of recent crop damage in certain regions and reach an agreement.

Pesticide Applicators Rule

Informed by feedback from states and American people that more time and resources are needed to prepare for compliance with the

rule, EPA issued a 12-month extension for the implementation of the revised final Certification and Training of Pesticide Applicators rule. The extended timeline enabled EPA to work with states and provide adequate compliance and training resources.

Cooperative Federalism

Under Administrator Pruitt, states are once again being treated as partners, in efforts to protect the environment. In his first year, Administrator Pruitt worked to empower state



and local partners to develop regulations that achieves positive environmental outcomes. Putting his words into action, Administrator Pruitt got out of Washington and heard directly from stakeholders in the states.

Enhanced Shared Accountability

Governor Steve Bullock (D-MT): "The change in the federal administration offers us as governors the opportunity to develop new relationships and to build stronger state and federal relationships."

Governor Rick Scott (R-FL): "It is great to have a partner in Administrator Pruitt and the Trump Administration and I am glad to see their focus on protecting Florida's environment for future generations."

Governor Mark Dayton (D-MN): "Gov. Mark Dayton described a meeting Wednesday with EPA Administrator Scott Pruitt as 'productive and cordial' and said he's hopeful the Trump

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administration will eliminate some of the federal government red tape dealt to state agencies. 'We don't believe we need to be micromanaged by Region 5 in Chicago,' Dayton said during a news conference following a meeting at the Capitol that lasted more than an hour."

Governor Kim Reynolds (R-IA): "The governor said Pruitt indicated the new regulations would define what areas are not under federal jurisdiction. A court suspended the "Waters of



the U.S." rules written by the Obama Administration before they took effect, but Reynolds said farmers delayed conservation measures and other land improvements because of the uncertainty about what might come next. 'Dramatically had an impact on our ability to move forward with conservation practices for not only water quality, for soil health,' she said."

Leader Mitch McConnell (R-KY): "It's great to have an administrator of the EPA," McConnell said as he introduced Pruitt, "who's not afraid to come to Kentucky."

Stakeholder Engagement

Smart Sectors

In 2017, EPA launched Smart Sectors, a partnership program between the Agency and regulated sectors that takes a collaborative approach to consider more forward-thinking ways to protect the environment and provide regulatory certainty.

From the program's official launch, the Smart Sectors team met with over 80 trade associations, companies, or stakeholder groups. The team conducted seven informational site visits with a variety of sectors including ports, iron and steel, oil and gas, chemical manufacturing, and agriculture and has many site visits planned for 2018. The Smart Sectors program maintains open dialogue with these partners and their environmental committees and developed reports that profile the impact of each sector on the environment and the economy.

Grants

EPA awards over \$4 billion grants annually to states, tribes and local communities. For example, in FY2017:

- Over \$20.2 million was provided through National Estuary Program grants to 32 communities
- \$56.8 million in Brownfields grants to 172 communities for revitalizing land
- Nearly \$33.3 million Clean Diesel Program grants to 72 communities

✓ EPA awarded nearly \$1.2 million in competitive grants to 36 local-based community and tribal organizations to for community-driven solutions to local health and environmental issues in minority, low-income, and tribal communities.

✓ Specific environmental justice grant projects will focus on: reducing exposure to lead and other water pollutants; developing green infrastructure and sustainable agriculture projects; implementing basic energy efficiency measures in low-income households; and increasing overall community resiliency.

Natural Disaster Preparedness, Response and Recovery

Throughout 2017 EPA worked closely with states and territories to prepare for and respond to a number of natural disasters including Hurricanes Harvey, Irma, and Maria, and catastrophic wildfires in the West.

As a result of the continuing impacts on Gulf Coast-area refineries and disruption to the fuel distribution system caused by the 2017 hurricanes, Administrator Pruitt quickly acted to exercise EPA's emergency fuel waiver authority to help ensure adequate supply of fuel throughout the country by approving emergency fuel waivers for 38 states, Washington, D.C., and Puerto Rico. Governors across the country praised EPA's quick actions to ensure there is no disruption in the fuel supply for power generators, evacuations and emergency response efforts.



Administrator Pruitt visited Corpus Christi, TX, on August 30, 2017, to meet with responders and assess EPA relief efforts, and Houston, TX twice -- on September 15, 2017, to review the Agency's response efforts and October 20, 2017 with stakeholders monitoring cleanup efforts at the San Jacinto Waste Pits Superfund site.

STATS AT A GLANCE

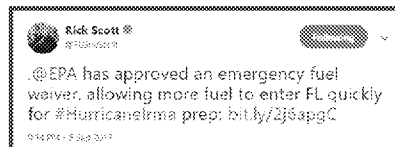
Harvey:

- ✓ Conducted on-site assessments at approximately 625 drinking water and 440 waste water treatment facilities
- ✓ Collected more than 1000 orphan containers, which included drums and tanks found floated in or washed up near waterways
- ✓ Safely disposed of over 20 million cubic yards of debris

Maria:

- ✓ Completed over 1,000 drinking water assessments in USVI
- ✓ Collected more than 225,000 items of household hazardous waste, goods and electronic waste in Puerto Rico and USVI
- ✓ Assessed close to 400 vessels in Puerto Rico and close to 500 in USVI with the U.S. Coast Guard

WHAT THEY'RE SAYING:



Rule of Law

Agency Reform

Sue and Settle

Over the years, outside the regulatory process, special interest groups have used lawsuits that seek to force federal agencies — especially EPA — to issue regulations that advance their interests and priorities, on their specified timeframe. EPA gets sued by an outside party that is asking the court to compel the Agency to take certain steps, either through change in a statutory duty or enforcing timelines set by the law, and then EPA will acquiesce through a consent decree or settlement agreement, affecting the Agency's obligations under the statute.

"Sue and settle" cases establish Agency obligations without participation by states and/or the regulated community; foreclose meaningful public participation in rulemaking; effectively force the Agency to reach certain regulatory outcomes; and, cost the American taxpayer millions of dollars.

In fulfilling his promise to end the practice of regulation through litigation that has harmed the American public, EPA Administrator Scott Pruitt issued an Agency-wide directive in October 2017 designed to end "sue and settle" practices within the Agency, providing an unprecedented level of public participation and transparency in EPA consent decrees and settlement agreements.

“The days of regulation through litigation are over.”

- EPA Administrator Scott Pruitt

Advisory Boards

According to EPA calculations, in just three years, members of three of EPA's 22 Federal Advisory Committees — the Science Advisory Board, Clean Air Scientific Advisory Committee, and the Board of Scientific Counselors — received upwards of \$77 million in direct EPA grant funding while concurrently serving on these committees.

Administrator Pruitt issued a new directive in the fall of 2017 to ensure that any advisors serving on an EPA Federal Advisory Committee are independent and free from any real, apparent or potential interference with their ability to objectively serve as a committee member. In addition, Administrator Pruitt increased the representation of EPA's science boards to include more geographic diversity, increasing past representation from 32 states to over 40.

ENFORCEMENT

Enforcement of environmental protection laws is sustained by collaborative efforts of states, businesses, private citizens, and federal agencies like EPA. Within the last year, Administrator Pruitt implemented a two-pronged approach to enforcement: 1) ensuring the regulated community understands and complies with the law, and 2) vigorously holding bad actors accountable. This was achieved through a wide range of enforcement tools, including: compliance assistance, civil actions, administrative actions, informal actions, work-sharing with states, and criminal fines and incarceration where appropriate.

Since January 20, 2017, through the end of Fiscal Year 2017, EPA and DOJ imposed:

- More than \$1.72 billion in civil penalties, cost recovery, natural resource damages, and other monetary recoveries;

Commented [4]: EPA is not the plaintiff in NRD claims — we are not a resource agency. That is why I added DOJ to the lead in.

[PAGE * MERGEFORMAT]2

- More than \$2.91 billion in criminal fines, restitution, and other assessments; and
- More than \$3.13 billion in injunctive relief and environmental mitigation projects.

Example Enforcement Actions Announced Since Close of FY17:

- ✓ ExxonMobil: \$300M air pollution settlement with Exxon, 10/31/17
- ✓ PDC Energy: EPA, Colorado reach \$21 million-plus settlement with PDC 10/31/17
- ✓ Macy's: EPA Settled with Macy's over Hazardous Waste Violations 10/25/17
- ✓ RIN Fraud: This individual defendant purchased renewable fuel with attached RINs, sold the fuel, and instead of retiring the RINs as required, sold the RINs separately and illegally for \$31.8 million. He also committed tax fraud to the tune of \$1.2 million by claiming renewable fuel tax credits to which he was not entitled, 10/23/17
- ✓ Superfunds: For one example, EPA held 40 parties responsible to finance and perform a \$51.5 million EPA-approved cleanup 10/13/17

EPA to pick winners and losers on how we pick electricity in this country. That is wrong."

MSNBC's Morning Joe: Pruitt said the Paris agreement put our economy at a disadvantage. "When you look at what was agreed to in Paris, it put this country, our country at a disadvantage economically."

ABC's This Week: Pruitt discussed how small businesses across the country are celebrating President Trump's decision to pull out of the Paris agreement. "Well, when you look at, even The New York Times had an article, I think, within the last couple of days that talked about small business celebrating, euphoria with respect to the president's decision."

Fox News Sunday: Pruitt explained how the U.S. is the energy technology leader of the world. "If China and India want to reduce their CO2 footprint, they should learn from us," Pruitt told Fox News' Chris Wallace."

CBS Evening News: Pruitt discussed the role of the EPA. "We should be about administering the statutes we're required to administer, but we shouldn't come in and say that the way forward in environmental protection is prohibition vs. stewardship. We can feed the world and we can power the world, and we should do that."

The New York Times/The Daily: Pruitt discussed how he's focused on protecting the environment and human health.



Media

NATIONAL TELEVISION & RADIO

Fox News: EPA moves to repeal Obama's Clean Power Plan coal regulations. "EPA Administrator Scott Pruitt announced Monday that the Trump administration is moving to scrap the Clean Power Plan, the Obama administration's signature regulatory program to curb emissions from coal-fired power plants... That rule really was about picking winners and losers," Pruitt said. "The past administration was unapologetic, they were using every bit of power, authority to use the

ABC News "Powerhouse Politics Podcast": Pruitt talked about Hurricane Irma recovery efforts.



EDITORIALS

USA Today: Clean air, land and water: Time for the EPA to start keeping its promises. "A few months ago, I promised the people of Missouri that I would make a decision and propose a cleanup plan for the West Lake Landfill. Recently, I made good on that commitment. On Feb. 1, the Environmental Protection Agency put forth its plan to clean up the West Lake Landfill... In less than a year, this administration will solve a problem that previous administrations could not fix in the years since 1990, when the site was added to the Superfund priorities list."

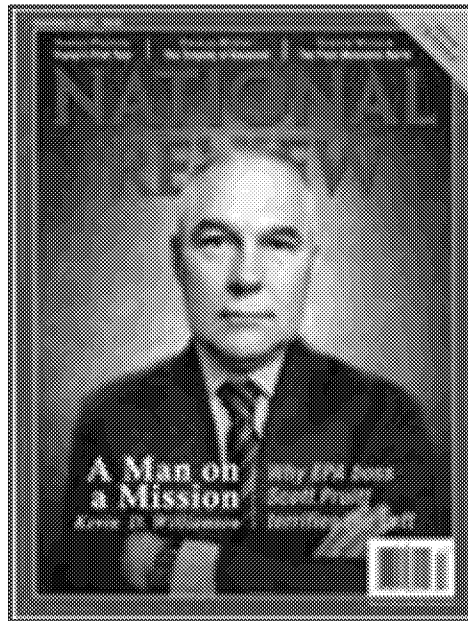
The Wall Street Journal: Scott Pruitt's Back-to-Basics Agenda for the EPA. "You might call him an EPA originalist... When Mr. Pruitt sat down Thursday for his first interview since his November nomination, he spent most of the time waxing enthusiastic about all the good his agency can accomplish once he refocuses it on its statutorily defined mission: working cooperatively with the states to improve water and air quality."

Talking Points Memo: Pruitt Looks to Kneecap Environmental Groups With New Policy. "Pruitt pledged that the agency would no longer reimburse attorneys' fees in cases where it

decides to avoid a lawsuit, arguing that both environmental and business groups had abused it to enrich themselves in the past. 'This is not particular to one type of plaintiff,' he said. 'There should be no attorneys' fees paid, period, no matter who the plaintiff is.'"

Wall Street Journal: Pruitt's ends sue and settle practices also known as "extortion by environmental lawsuit." "Scott Pruitt continues to press reform at the Environmental Protection Agency, this week issuing a directive to curb the collusive Washington game of "sue and settle" lawsuits. This is a victory for democratic consent over legal extortion."

Washington Examiner: Praise for Pruitt's commitment to the Agency's core mission. "We applaud Pruitt's mission of restoring the EPA to its proper shape and size. And we hope he has the humility, the diligence, and the skill to pull it off, for the sake of the Constitution, the economy, and the environment."



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Wall Street Journal: Pruitt committed to cleaning up Superfunds sites. "One cost of making climate change a religion is that more immediate environmental problems have been ignored—not least by the Environmental Protection Agency. New EPA Administrator Scott Pruitt plans to address that in an underreported effort to clean up toxic waste sites under the so-called Superfund program."

Minneapolis Star Tribune: Pruitt Signals Welcome Support for Great Lakes Restoration Project. "Environmental Protection Agency Secretary Scott Pruitt's visit to Minnesota last week yielded an unexpected boon for those who care about clean water. In an interview with a Star Tribune reporter, Pruitt affirmed his support for federal funding of the Great Lakes Restoration Initiative, which provides landmark protections for Lakes Huron, Erie, Michigan, Ontario and, most treasured by Minnesotans, Superior."

Denver Post: Pruitt Right to Pursue Funds for Gold King Mine Victims. "Scott Pruitt, head of the Environmental Protection Agency, is doing the right thing in his efforts to make whole the victims of the Gold King Mine spill that spewed 3 million of gallons of toxic water into the Animas River and downstream to New Mexico."

GO Magazine: The 50 Most Powerful People in Trump's Washington. "#5 EPA Administrator Scott Pruitt: In a Cabinet that doesn't get much done, Pruitt has been dangerously effective."

Bloomberg: Administrator Pruitt lands on the list of 50 people defining global business in 2017. "Pruitt, a former Oklahoma attorney general who built his career challenging what he termed the 'EPA's activist agenda,' says he's 'righting the wrongs of the Obama administration.' He's giving states a bigger role in environmental oversight, reopening a review



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of fuel-efficiency standards, and delaying a rule to boost the safety of chemical facilities—work guided by almost-daily consultations with industry representatives.”

Newsweek: How the EPA's Scott Pruitt became the most dangerous member of Trump's cabinet.

Ken Cuccinelli said Pruitt believes in clean water and clean air. “The previous administration weaponized this agency,” Cuccinelli said. “They were assaulting America through the EPA. Scott believes in clean water and clean air. There’s never been any doubt about that. But all of the other creative stuff is the kind of stuff that political elites want to spend their time on and if it affects Americans all it does is reduce their opportunities.”

NATIONAL PRINT

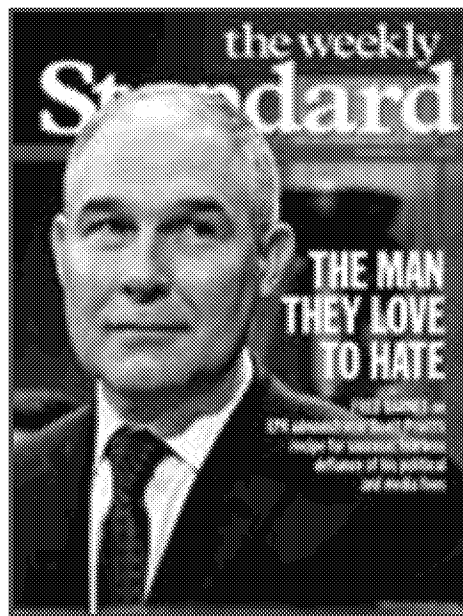
The Washington Post: Scott Pruitt, outspoken and forceful, moves to the center of power within the Trump administration. “Less than four months ago, Scott Pruitt arrived in Washington with few connections to President Trump’s inner circle and took the helm of an agency where many employees were openly hostile to him. But the administrator of the Environmental Protection Agency has emerged as one of the most influential policy architects in the president’s Cabinet, a skilled and sometimes brash lawyer who is methodically taking apart a slew of regulations and agreements affecting a range of issues, from manufacturing operations to landfills.”

USA Today: Scott Pruitt on a mission to change the climate of the EPA. “He’s on a mission to re-engineer the agency’s culture by returning power to states and away from the Washington bureaucrats and coastal elites he said have led it astray.”

TIME: Pruitt: I don’t spend any time with polluters. I prosecute polluters.

Washington Examiner: Pruitt advances Back-to-Basics agenda. “Few Trump administration agency chiefs have moved as decisively to implement an agenda as Scott Pruitt, the administrator of the Environmental Protection Agency, and he’s quite clear about what he wants to do. He calls it a ‘back to the basics’ agenda, removing the government from what he considers extraneous activity.”

The Washington Post: How Scott Pruitt turned the EPA into one of Trump’s most powerful tools. “...aggressiveness on issues from coal waste to vehicle emissions has made Pruitt one of Trump’s most high-profile and consequential Cabinet members. It also has made him one of the most controversial... Yet, allies praise Pruitt for returning more power to individual states while scaling back what they see as the previous administration’s regulatory excesses.”



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Bloomberg: EPA's Pruitt Denies He's an Ally of Polluters, Vows to Get Tough. "Scott Pruitt, the head of the Environmental Protection Agency, vowed that he will get tough on corporate polluters, dismissing critics who cast him as too cozy with industry. "They don't know me," Pruitt said, during an interview with Bloomberg News in his Washington office. "I've led a grand jury. We are going to do enforcement, to go after bad actors and go after polluters."

Wall Street Journal: Pruitt said West Lake sends a results driven message. "'This sends a message that we're actually going to get results,' Mr. Pruitt said in an interview with The Wall Street Journal. 'Frankly it's just what we ought to be doing.'"

The Washington Post: EPA head Scott Pruitt defends Paris exit. "When we joined Paris, the rest of the world applauded ... because it put this country at disadvantage... It's a bad deal for this country. We're going to make sure as we make deals we're going to put the interests of America first."

Wall Street Journal: Pruitt aims to accelerate his efforts to remake the EPA. "Environmental Protection Agency chief Scott Pruitt plans to use his second year on the job to accelerate efforts to remake the agency, saying he wants to speed its permitting processes and transform a culture he says is bureaucratic."

Reuters: Pruitt gave a wide-ranging interview about protecting the environment and American jobs. "The past administration was all about words. This administration is all about action. Look at the actions this country has taken. We have reduced our greenhouse gas levels to pre-1994 levels primarily through technology and innovation, not through government mandate. We have nothing to be apologetic about with the rest of the world."

Washington Examiner: EPA's Scott Pruitt declares 'war on lead.' "EPA Administrator Scott Pruitt has begun an effort to 'eradicate' lead poisoning from drinking water, more than three years after the crisis in Flint, Michigan, started. Pruitt hosted a meeting Jan. 8 for state and local officials at agency headquarters in Washington to obtain feedback on ways to update the 1991 Lead and Copper Rule... It has not been revised in more than a decade."

The Hill: EPA staffing falls to Reagan-era levels. "EPA's staffing is now lower than it was in former President Reagan's final year in office. An EPA spokeswoman said Tuesday that, as of Jan. 3, the agency had 14,162 employees, down from about 15,000 at the beginning of last year. That's even lower than the 14,400 employees the agency had in fiscal year 1988, Reagan's final year."

Wall Street Journal: EPA to Unveil New Chemical Testing Rules. "The Environmental Protection Agency on Thursday will release new rules to clarify the agency's process of testing the chemicals used in everyday products and other commerce, a matter of deep importance to manufacturers, consumers and environmental advocates."

REGIONAL PRINT

The Chicago Tribune: Pruitt orders companies blamed for East Chicago contamination to pay for cleanup. "'We continue to make cleaning up East Chicago a priority, to protect the health and well-being of the residents who live in the impacted areas,' said EPA Administrator Scott Pruitt in a statement. The EPA estimated the companies will have to pay \$24 million for the remediation, according to the announcement, and \$2.25 million for the indoor dust cleaning."

Deseret News: Pruitt visited Utah and talked about WOTUS. "EPA Administrator Scott Pruitt visited Utah as part of multistate tour to get

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input on how the agency can be more responsive to states' needs in general and in specific how the controversial Waters of the United States rule should be retooled."

The St. Louis Post-Dispatch: Pruitt outlined his course of action to cleanup West Lake. "In a long-awaited decision that appears to be a compromise, the Environmental Protection Agency on Thursday recommended partial excavation of the West Lake Landfill in Bridgeton to remove radioactive waste linked to the Manhattan Project."

Arkansas Democrat Gazette: Pruitt discusses WOTUS in Arkansas. "EPA Administrator Scott Pruitt visited with Arkansas Cabinet officials and agriculture representatives Thursday about changes they would like to see made to the nation's definition of protected water bodies."

Houston Chronicle: Pruitt takes on entrenched air pollution system.

Minneapolis Star-Tribune: Pruitt is working hard to protect the Great Lakes. "Scott Pruitt, the nation's top environmental officer, said Wednesday he endorses continued federal funding for a landmark cleanup of the Great Lakes... 'It's a continuing need, and we have to see that it's adequately funded.'"

Cedar Rapids Gazette: Pruitt wants to work hand in hand with states. "'What's important for us in Washington, D.C., to do is to learn and partner and work with folks at the state level to achieve good outcomes together. That just simply has not happened for a number of years,' said EPA Administrator Scott Pruitt, during a stop in Nevada."

Des Moines Register: Pruitt called farmers the first "conservationists, environmentalists." "Pruitt said the country needed to discuss what 'true environmentalism' means: 'We have been

blessed with a bounty of natural resources. And some view that as 'We should simply not use them' — that we should put up fences and not use our natural resources. 'I don't buy that. We, as a country, have an obligation to feed the world and power the world,' he said, getting applause. 'When you have the natural resources like we do, we should use them to benefit our neighbors, our country and world.'"

Sioux City Journal: Pruitt held a roundtable with Governor Reynolds, Senators Grassley and Ernst about WOTUS.

The Clarion Ledger: Pruitt addressed energy issues in Mississippi. "U.S. Environmental Protection Agency Administrator Scott Pruitt visited Mississippi Thursday to discuss proposed changes to the Waters of the United States rule, just days after announcing the repeal of the Clean Power Plan."

Houston Chronicle: After Harvey, Pruitt vows bold response to polluted sites around Houston. "Environmental Protection Agency Administrator Scott Pruitt, who has visited Texas twice since Hurricane Harvey, vowed Thursday to have 'an answer' by next month for a permanent solution to clean up the San Jacinto River Waste Pits."

REGIONAL TELEVISION & RADIO

Des Moines WHO-TV: E.P.A. Head Agrees That Des Moines Superfund Site Needs to Develop, But When? "Political Director Dave Price talked to Environmental Protection Agency Administrator Scott Pruitt about efforts to redevelop superfund sites, like Des Moines, all over the country."

Salt Lake City KTVX-TV: Pruitt discusses his Back-To-Basics agenda. "EPA Administrator Scott Pruitt made his first stop on the State Action Tour here in Utah. This morning he sat down with Glen Mills on Good Morning Utah exclusively to talk about the tour."

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Louisville WHAS-TV: Pruitt will have changes to Obama's WOTUS. "The head of the United States Environmental Protection Agency was in Louisville Thursday with a promise of change to one of the most controversial environmental regulations for Kentucky farmers. Administrator Scott Pruitt told the Kentucky Farm Bureau's 98th Annual Meeting that the "Waters of the United States" regulation will be changed forever by mid-2018."

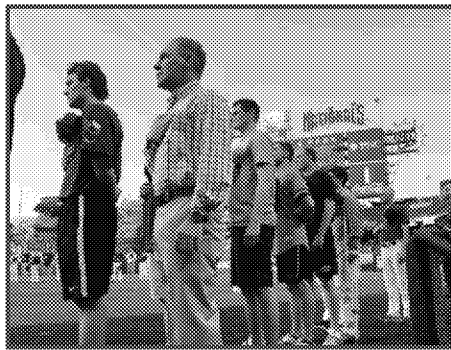
Denver KDVR-TV: Pruitt Gold King Mine on 2-Year Anniversary of Spill Caused by Agency. "Environmental Protection Agency Administrator Scott Pruitt and Colorado leaders will tour the site of the Gold King mine spill on Friday to mark the second anniversary of the spill that dumped 3 million gallons of tainted wastewater into the Animas River."

St. Louis KMOX-TV: Just Moms STL was happy with Pruitt's decision regarding West Lake. "Dawn Chapman and Karen Nickel of the Just Moms STL advocacy group say at first, the group was worried a partial removal would mean only 5percent removed. With a 70percent or more removal — they are pleased. 'I can tell you that we are happy with this decision, and what this does for us is it gives us direction,' Nickel says. 'We've gone without a decision at the site for 10 years, and it's time that we have direction.'"

Twin Cities WCCO-TV: Pruitt gave an in-depth interview about the EPA's Back-To-Basics Agenda. "EPA Administrator Scott Pruitt was in studio for an exclusive interview while he was in the state to meet with Gov. Mark Dayton. He's in Minnesota as part of his Back-To-Basics tour and talked about rolling back regulations."

Reno KRNV-TV: Pruitt discusses his visit to Nevada. "Administrator of the Environmental Protection Agency Scott Pruitt sat down with News 4's Bill Frankmore on Monday morning to discuss his event with Governor Brian Sandoval at Anaconda Mine in Lyon County regarding future clean-up and his visit with miners at Coeur Rochester Mine in Lovelock."

Des Moines WHO-TV: EPA chief, a former baseball exec, wants 'world, world series.' "I think baseball is one of those sports we can actually truly have a world series, we can have a world competition. We've seen it in other instances and I think that's an opportunity that we need to be pursuing."



Administrator Pruitt stands for the National Anthem at the Congressional Baseball game.

Twin Cities WCCO-AM: Pruitt talked baseball, the environment and American jobs.

Radio Iowa: Pruitt visits Iowa to discuss WOTUS

Message

From: Nickerson, William [Nickerson.William@epa.gov]
Sent: 2/6/2018 9:40:35 PM
To: Bolen, Brittany [bolen.brittany@epa.gov]
CC: Owens, Nicole [Owens.Nicole@epa.gov]
Subject: RE: Request
Attachments: OLEM upcoming milestones through 2018.docx

The search we ran yields 14 actions. They are listed below, with more details about projected schedules in the attached document. Note that the list of actions and projected dates are in flux right now because the program offices are working on all their updates for the regulatory agenda.

1. Management Standards for Hazardous Waste Pharmaceuticals
2. CERCLA/EPCRA Reporting Requirements for Air Releases
3. Interpretation of 'Used in Routine Agricultural Operations' under EPCRA
4. RMP Modernization Rule Reconsideration
5. Bioreactor/Wet Landfill Regulations under RCRA Subtitle D
6. OPS Guidance Revision
7. CCR Remand Rule
8. Hazardous Substances Spill Prevention
9. Aerosol Cans as Universal Waste
10. Ignitability Rule
11. PNDD Guidance
12. PCBs in Used Oil Fact Sheet
13. Oklahoma: Approval of State Coal Combustion Residuals State Permit Program
14. Alternative Reporting Options and Revise the Continuous Releases Form for Operations

From: Bolen, Brittany
Sent: Tuesday, February 06, 2018 2:41 PM
To: Nickerson, William <Nickerson.William@epa.gov>
Subject: Request

Hi Bill – is it possible to run an inquiry into ADP for all OLEM actions? I'm looking for a list of all milestones attributed to OLEM actions for the coming year. Also, all OLEM entries into the reg agenda. Please give me a call if you would like to discuss/seek clarification.

Thanks,
Brittany

Brittany Bolen
Deputy Associate Administrator, Office of Policy
U.S. Environmental Protection Agency
(202) 564-3291
Bolen.Brittany@epa.gov



Upcoming Milestones for OLEM through December 31, 2018

	Planned Start	Planned Complete	Milestone Name	Stage	Working Title	AAship	Deadline Type	Deadline Date	Tier Level	Signer
SAN: 5127										
	06/04/2018	09/17/2018	OMB Review	Final Rule	Management Standards for Hazardous Waste Pharmaceuticals	OLEM			3	Administrator
	09/24/2018	10/05/2018	Signature	Final Rule	Management Standards for Hazardous Waste Pharmaceuticals	OLEM			3	Administrator
SAN: 5484										
	05/08/2018	05/08/2018	Signature	Final Rule	CERCLA/EPCRA Reporting Requirements for Air Releases	OLEM			3	AA
SAN: 5484.2										
	03/05/2018	03/19/2018	FAR	NPRM	Interpretation of 'Used in Routine Agricultural Operations' under EPCRA	OLEM			3	Administrator
	03/26/2018	04/27/2018	OMB Review	NPRM	Interpretation of 'Used in Routine Agricultural Operations' under EPCRA	OLEM			3	Administrator
	05/01/2018	05/03/2018	Signature	NPRM	Interpretation of 'Used in Routine Agricultural Operations' under EPCRA	OLEM			3	Administrator
SAN: 5766.4										
	02/16/2018	04/23/2018	OMB Review	NPRM	RMP Modernization Rule Reconsideration	OLEM			3	Administrator
	05/02/2018	05/09/2018	Signature	NPRM	RMP Modernization Rule Reconsideration	OLEM			3	Administrator
SAN: 5907										
	06/04/2018	09/12/2018	OMB Review	ANPRM	Bioreactor/Wet Landfill Regulations under RCRA Subtitle D	OLEM			3	Administrator
	09/26/2018	10/17/2018	Signature	ANPRM	Bioreactor/Wet Landfill Regulations under RCRA Subtitle D	OLEM			3	Administrator
SAN: 5938										

	Planned Start	Planned Complete	Milestone Name	Stage	Working Title	AAship	Deadline Type	Deadline Date	Tier Level	Signer
	09/27/2018	09/29/2018	Signature	Final	OPS Guidance Revision	OLEM			3	AA
SAN: 5939										
	02/12/2018	02/15/2018	Signature	NPRM	CCR Remand Rule	OLEM			3	Administrator
SAN: 5957										
	03/14/2018	06/11/2018	OMB Review	NPRM	Hazardous Substances Spill Prevention	OLEM	Consent	06/16/2018	2	Administrator
	06/12/2018	06/15/2018	Signature	NPRM	Hazardous Substances Spill Prevention	OLEM	Consent	06/16/2018	2	Administrator
	12/11/2018	12/11/2018	Early Guidance	Final Rule	Hazardous Substances Spill Prevention	OLEM	Consent	08/29/2019	2	Administrator
SAN: 5989										
	02/08/2018	02/28/2018	Signature	NPRM	Aerosol Cans as Universal Waste	OLEM			3	Administrator
	11/05/2018	11/05/2018	Early Guidance	Final Rule	Aerosol Cans as Universal Waste	OLEM			3	Administrator
SAN: 5990										
	08/01/2018	08/15/2018	Signature	NPRM	Ignitability Rule	OLEM			3	Administrator
SAN: 6033										
	03/30/2018	03/30/2018	Signature	Draft	PNDD Guidance	OLEM			3	Delegated OD
	12/01/2018	12/01/2018	Signature	Final	PNDD Guidance	OLEM			3	
SAN: 6254										
	02/15/2018	02/15/2018	Signature	Final	PCBs in Used Oil Fact Sheet	OLEM			4	Delegated OD
SAN: 6579										
	05/31/2018	05/31/2018	Signature	Final	Oklahoma: Approval of State Coal Combustion Residuals State Permit Program	OLEM			4	Delegated AA/RA
SAN: 6652										
	02/12/2018	02/13/2018	OMB Review	NPRM	Alternative Reporting Options and Revise the Continuous Releases Form for Operations	OLEM			3	Administrator
	02/14/2018	02/14/2018	Signature	NPRM	Alternative Reporting Options and Revise the Continuous Releases Form for Operations	OLEM			3	Administrator

	Planned Start	Planned Complete	Milestone Name	Stage	Working Title	AAship	Deadline Type	Deadline Date	Tier Level	Signer
	03/27/2018	03/27/2018	Signature	Final Rule	Alternative Reporting Options and Revise the Continuous Releases Form for Operations	OLEM			3	Administrator
	03/23/2018	03/27/2018	OMB Review	Final Rule	Alternative Reporting Options and Revise the Continuous Releases Form for Operations	OLEM			3	Administrator

Message

From: Rees, Sarah [rees.sarah@epa.gov]
Sent: 10/6/2017 7:23:51 PM
To: Dravis, Samantha [dravis.samantha@epa.gov]
CC: Bolen, Brittany [bolen.brittany@epa.gov]; Kime, Robin [Kime.Robin@epa.gov]; Curry, Bridgid [Curry.Bridgid@epa.gov]
Subject: Re: CERCLA/EPCRA Reporting Exemption for Air Releases of Hazardous Substances from Animal Waste

Will do. Thx!

On Oct 6, 2017, at 3:13 PM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

Go ahead and move it forward and let me know what OMB has to say.

From: Rees, Sarah
Sent: Friday, October 06, 2017 10:18 AM
To: Dravis, Samantha <dravis.samantha@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>
Cc: Kime, Robin <Kime.Robin@epa.gov>; Curry, Bridgid <Curry.Bridgid@epa.gov>
Subject: RE: CERCLA/EPCRA Reporting Exemption for Air Releases of Hazardous Substances from Animal Waste

Thanks. **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

From: Dravis, Samantha
Sent: Friday, October 06, 2017 9:50 AM
To: Rees, Sarah <rees.sarah@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>
Cc: Kime, Robin <Kime.Robin@epa.gov>
Subject: RE: CERCLA/EPCRA Reporting Exemption for Air Releases of Hazardous Substances from Animal Waste

I'm checking on this – standby.

From: Rees, Sarah
Sent: Thursday, October 05, 2017 4:33 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>
Cc: Kime, Robin <Kime.Robin@epa.gov>
Subject: CERCLA/EPCRA Reporting Exemption for Air Releases of Hazardous Substances from Animal Waste

Importance: High

Hi Samantha. This is an action that has not yet been tiered, and we have not been involved in its development. But it is apparently moving incredibly quickly, and OLEM has been directed by Ryan Jackson to post this guidance document on the website by 10/16. It is OMB significant, and OMB needs us to upload it for review tomorrow in order to meet the 10/16 deadline.

Here's what I know:

- <!--[if !supportLists]--><!--[endif]-->On December 18, 2008, EPA published a final rule that exempted:
 - <!--[if !supportLists]--><!--[endif]-->All farms from reporting air releases of hazardous substances from animal waste under Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
 - <!--[if !supportLists]--><!--[endif]-->Exempted certain farms from reporting air releases of hazardous substances from animal wastes under Section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA), if they stable or confine fewer than a certain number of species.
- <!--[if !supportLists]--><!--[endif]-->On April 11, 2017, the DC Circuit Court vacated this final rule.

- <!--[if !supportLists]--><!--[endif]-->In response to a request from EPA, the DC Circuit Court has extended the date by which farms must begin reporting these releases to November 15, 2017.
- <!--[if !supportLists]--><!--[endif]-->EPA plans to request an additional extension and would like the guidance out before going to the court. The guidance exempts these facilities from the EPCRA reporting requirements.

The October 16 deadline is an internal deadline (OGC and AO) because we'd like the regulated community to be aware of their exemption status prior to the effective date of reporting requirements, November 15, 2017.

We don't yet have the package and I understand OGC is still reviewing it – so have had no opportunity for independent review.

As I've not been a part of this process, I recommend you talk with David F if you have questions – he's apparently been very involved. But if it is true that Ryan wants this guidance posted by 10/16, we will need your approval for upload sometime tomorrow. I've attached the slides that OLEM used to brief OMB which may also be helpful.

Sorry to drop this on you....

Sarah L. Rees, Ph.D.

Director, Office of Regulatory Policy & Management

US EPA – Office of Policy

(202) 564-1986 (o) | **Cellular Phone / Ex. 6**

Message

From: Cooperstein, Sharon [Cooperstein.Sharon@epa.gov]
Sent: 10/24/2017 2:59:44 PM
To: Bolen, Brittany [bolen.brittany@epa.gov]
CC: Nickerson, William [Nickerson.William@epa.gov]; Rees, Sarah [rees.sarah@epa.gov]
Subject: RE: CERCLA & EPCRA Ag Reporting Briefing Document

Hi Brittany,

Jim Laity (OMB) contacted OLEM last night requesting that OLEM **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

OLEM anticipates scheduling a call with OMB (hopefully with DOJ participation) this afternoon to discuss the EPCRA issues.

Please let me know if you would like any additional information.

Thanks,

Sharon

From: Bolen, Brittany
Sent: Tuesday, October 24, 2017 10:51 AM
To: Cooperstein, Sharon <Cooperstein.Sharon@epa.gov>
Subject: RE: CERCLA & EPCRA Ag Reporting Briefing Document

Hi Sharon – have you heard any update on when this will be closed out?

Thanks,
Brittany

From: Cooperstein, Sharon
Sent: Monday, October 23, 2017 3:42 PM
To: Bolen, Brittany <bolen.brittany@epa.gov>; Kime, Robin <Kime.Robin@epa.gov>
Subject: CERCLA & EPCRA Ag Reporting Briefing Document

Hi Brittany and Robin,

Attached please find the 2-pager we discussed at our meeting on the CERCLA and EPCRA ag. guidance.

Thanks,

Sharon

Sharon Cooperstein
Environmental Protection Agency

Office of Policy
WJC North 3521D | Mail Code 1803A
202-564-7051

Message

From: Davis, Patrick [davis.patrick@epa.gov]
Sent: 8/17/2017 4:09:14 PM
To: Fotouhi, David [fotouhi.david@epa.gov]
CC: Jackson, Ryan [jackson.ryan@epa.gov]; Dravis, Samantha [dravis.samantha@epa.gov]; Brown, Byron [brown.byron@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Darwin, Veronica [darwin.veronica@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]
Subject: Re: Waterkeeper v. EPA (D.C. Cir.)--Mandate stayed

David,

I can confirm that OLEM has begun developing guidance and additional administrative actions.

Patrick Davis

Patrick Davis
Environmental Protection Agency
Deputy Associate Director, Office of Land and Emergency Management
202-564-3103 office
Cellular Phone / Ex. 6

Emails sent to this address may be subject to FOIA.

Sent from my iPhone

On Aug 17, 2017, at 11:58 AM, Fotouhi, David <fotouhi.david@epa.gov> wrote:

Attorney Client / Ex. 5

David Fotouhi
Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 10/20/2017 3:33:59 PM
To: Fotouhi, David [fotouhi.david@epa.gov]
CC: Bolen, Brittany [bolen.brittany@epa.gov]
Subject: FW: CERCLA/EPCRA revised Comms Plan and Desk Statement
Attachments: DRAFT Comm Plan for Animal Waste Emissions Guidance 10-16-17 (v.4).docx; Draft News Brief on Animal Waste Emissions Guidance 10-11-17.docx; DRAFT Desk Statement on Animal Waste Emissions Guidance 10-11-17.docx

Can you please add/supplement or send me talkers for this?

From: Grantham, Nancy
Sent: Friday, October 20, 2017 9:35 AM
To: Bowman, Liz ; Fotouhi, David
Cc: Darwin, Veronica
Subject: FW: CERCLA/EPCRA revised Comms Plan and Desk Statement

Liz and David,

Veronica mentioned that you might be looking for this info.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Cellular Phone / Ex. 6

From: Benjamin, Kent
Sent: Monday, October 16, 2017 4:29 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Taylor, Trish <Taylor.Trish@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Bekky@epa.gov>
Subject: CERCLA/EPCRA revised Comms Plan and Desk Statement

FYI: per my voicemail

Here is a draft revised comms plan that takes into account the actions occurring today and the necessarily revised posting date. The CERCLA/EPCRA package can't get posted on the web until OMB receives all materials in ROCIS and gets Interagency comments - which they want up to a work week to do starting today. Changes are in red.

Highlights in the revised draft Comms Plan:

Deliberative Process / Ex. 5

Call if you have questions.

Kent A. Benjamin, M.S., Acting Director
Office of Communications, Partnerships and Analysis
Office of Land and Emergency Management
Tel. 202-564-9095; **Cellular Phone / Ex. 6**
Email: benjamin.kent@epa.gov
FOLLOW OLEM on Twitter @EPALand
"There is a difference between planning and preparing."

Message

From: Fotouhi, David [Fotouhi.David@epa.gov]
Sent: 10/16/2017 11:07:15 AM
To: Bolen, Brittany [bolen.brittany@epa.gov]
Subject: RE: Outcome from 10/13 OMB meeting on EPCRA

Your understanding is correct. The CERCLA guidance has some questions-and-answers within it, but my understanding is that there is not a separate CERCLA guidance and CERCLA Q&A document but rather one single CERCLA guidance.

OMB and DOJ had more comments on the EPCRA Q&A on Friday afternoon that we'll need to work through today.

David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Bolen, Brittany
Sent: Monday, October 16, 2017 7:03 AM
To: Fotouhi, David
Subject: Fwd: Outcome from 10/13 OMB meeting on EPCRA

Hi David - have you seen the CERCLA Q&A? I thought there was just EPCRA Q&A and CERCLA guidance. Is the guidance what they're referring to below in regards to the posting at noon today? Also, can we discuss this briefly before/after the 8am?

Brittany

Begin forwarded message:

From: "Davis, Patrick" <davis.patrick@epa.gov>
Date: October 13, 2017 at 7:39:49 PM EDT
To: "Noggle, William" <Noggle.William@epa.gov>
Cc: "Breen, Barry" <Breen.Barry@epa.gov>, "Simon, Nigel" <Simon.Nigel@epa.gov>, "Clark, Becki" <Clark.Beki@epa.gov>, "Cheatham, Reggie" <cheatham.reggie@epa.gov>, "Gioffre, Patricia" <Gioffre.Patricia@epa.gov>, "Franklin, Kathy" <Franklin.Kathy@epa.gov>, "Lewis, Jen" <Lewis.Jen@epa.gov>, "Jacob, Sicy" <Jacob.Sicy@epa.gov>, "Hostage, Barbara" <Hostage.Barbara@epa.gov>, "Hilosky, Nick" <Hilosky.Nick@epa.gov>, "Brooks, Becky" <Brooks.Beky@epa.gov>, "Cogliano, Gerain" <Cogliano.Gerain@epa.gov>, "Bolen, Brittany" <bolen.brittany@epa.gov>
Subject: Re: Outcome from 10/13 OMB meeting on EPCRA

Please coordinate the cercla posting through Brittany Bolen with OP.

Thanks,

Patrick Davis
Environmental Protection Agency
Deputy Associate Director, Office of Land and Emergency Management
202-564-3103 office

Cellular Phone / Ex. 6

Emails sent to this address may be subject to FOIA.

Sent from my iPhone

On Oct 13, 2017, at 5:37 PM, Noggle, William <Noggle.William@epa.gov> wrote:

Patrick,

Nothing new on CERCLA. OMB (both Jim and his management) believes the CERCLA info should be included in interagency review. We heard they plan on raising with EPA senior management at some point today, but haven't heard if the meeting happened. I believe OEM is still planning on posting the CERCLA Q&As on Monday at noon, unless they hear otherwise.

Thanks,
Bill

From: Davis, Patrick

Sent: Friday, October 13, 2017 5:29 PM

To: Noggle, William <Noggle.William@epa.gov>

Cc: Breen, Barry <Breen.Barry@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Franklin, Kathy <Franklin.Kathy@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Jacob, Sicy <Jacob.Sicy@epa.gov>; Hostage, Barbara <Hostage.Barbara@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Cogliano, Gerain <Cogliano.Gerain@epa.gov>

Subject: Re: Outcome from 10/13 OMB meeting on EPCRA

Thank you.

Any delay in cercla to report?

Patrick Davis

Environmental Protection Agency

Deputy Associate Director, Office of Land and Emergency Management

202-564-3103 office

202-380-8341 cell

Emails sent to this address may be subject to FOIA.

Sent from my iPhone

On Oct 13, 2017, at 5:26 PM, Noggle, William <Noggle.William@epa.gov> wrote:

Patrick, Barry,

We did not conclude interagency review on this afternoon's call with OMB on the EPCRA Q&A. The summary of the meeting is below (thanks to Patty and Jen for pulling together).

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

- The agencies will reconvene early next week on how to proceed.

Thanks,
Bill
202-566-1306

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 10/13/2017 7:55:36 PM
To: Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Fotouhi, David [fotouhi.david@epa.gov]; Dravis, Samantha [dravis.samantha@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]
Subject: Fwd: draft communications planning tool for CERCLA / EPCRA Reporting Requirement guidance doc
Attachments: Draft News Brief on Animal Waste Emissions Guidance 10-11-17.docx; ATT00001.htm; DRAFT Desk Statement on Animal Waste Emissions Guidance 10-11-17.docx; ATT00002.htm

Have y'all seen this? Should we say more?

Sent from my iPhone

Begin forwarded message:

From: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Date: October 13, 2017 at 3:54:17 PM EDT
To: "Bowman, Liz" <Bowman.Liz@epa.gov>
Subject: FW: draft communications planning tool for CERCLA / EPCRA Reporting Requirement guidance doc

Liz , are you okay with the draft release below? It is slated to go Monday the 16th (per court order) It will be targeted to agricultural-focused outlets only.

Thanks ng

DRAFT
EPA Releases Guidance on Reporting Air Emissions of Hazardous Substances from Animal Waste at Farms

10/16/2017

Contact Information: XXXX

(press@epa.gov)

WASHINGTON – Today, EPA is releasing guidance to assist farmers in estimating and reporting air releases of hazardous substances from animal waste at farms. EPA is making this information available to provide time for farmers to review and prepare for the reporting deadline of November 15, 2017.

On December 18, 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substances from animal waste. On April 11, 2017, the DC Circuit Court vacated this final rule. In response to a request from EPA, the DC Circuit Court extended the date by which farms must begin reporting these releases to November 15, 2017. Starting on this date, all farms (including those previously exempted) that have releases of hazardous substances to air from animal wastes equal to or greater than the reportable quantities for those hazardous substances within any 24-hour period must provide notification of such releases.

The EPA guidance information includes links to resources that farmers can use to calculate emissions tailored to specific species of livestock. To view EPA's guidance and Frequently Asked Questions on reporting air emissions from animal waste: [placeholder for web address]

###

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Cellular Phone / Ex. 6

From: Taylor, Trish

Sent: Wednesday, October 11, 2017 10:47 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Daguiard, Robert <Daguiard.Robert@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>

Subject: RE: draft communications planning tool for CERCLA / EPCRA Reporting Requirement guidance doc

Hi Liz,

Attached is the draft press release. Since it will be targeted to agricultural-focused outlets only, we drafted a desk statement as well. They provide similar information.

Planned release date is Monday, October 16, 2017.

Thanks,

Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)

U.S. EPA, Office of Land and Emergency Management (OLEM)

WJC West, RM 3137

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 566-2615

taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

From: Bowman, Liz

Sent: Thursday, October 05, 2017 5:46 PM

To: Taylor, Trish <Taylor.Trish@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Daguiard, Robert <Daguiard.Robert@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>

Subject: RE: draft communications planning tool for CERCLA / EPCRA Reporting Requirement guidance doc

Hi Trish – Thank you for pulling together this detailed and thoughtful communications plan. It looks good to me. All the messages look good, but if you could just send us the press release a day before you plan to send it out, that would be great. Thanks again – Liz

From: Taylor, Trish

Sent: Wednesday, October 4, 2017 1:51 PM

To: StClair, Christie <StClair.Christie@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Daguiard, Robert <Daguiard.Robert@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>

Subject: RE: draft communications planning tool for CERCLA / EPCRA Reporting Requirement guidance doc

Hi all,

+Looping in Liz

I've updated the calendar entry to include the draft communications strategy for the CERCLA / EPCRA reporting requirements for air releases of hazardous substances from animal waste at farms guidance.

The draft strategy is also attached here.

It has been reviewed/approved by Acting AA Barry Breen and DAA Patrick Davis.

OEM is currently working on the communications materials which will include a draft press release, desk statement, webpage update and Q&As.

- The press release mentioned in the plan will be targeted specifically to ag outlets only.

- <!--[if !supportLists]--><!--[endif]-->OEM/OGC are currently revising the draft Q&As. Please let me know if you have any questions or concerns about our planned approach.

Thank you,

Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)

U.S. EPA, Office of Land and Emergency Management (OLEM)

WJC West, RM 3137

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 566-2615

taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

From: Taylor, Trish

Sent: Monday, October 02, 2017 11:54 AM

To: StClair, Christie <StClair.Christie@epa.gov>

Cc: Valentine, Julia <Valentine.Julia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>

Subject: draft communications planning tool for CERCLA / EPCRA Reporting Requirement guidance doc

Hi Christie, Julia and Nancy,

I attached this draft comms planning tool to your OPA Calendar for Monday, October 16, 2017.

It's the short, planning tool showing the programs planned approach for outreach. I hope to have the more detailed draft communications strategy and materials very soon. Please let me know if you have any questions/comments on the 1-pager planning tool.

Thank you,

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)

U.S. EPA, Office of Land and Emergency Management (OLEM)

WJC West, RM 3137

1200 Pennsylvania Avenue, NW

Washington, DC 20460

(202) 566-2615

taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

Message

From: Nickerson, William [Nickerson.William@epa.gov]
Sent: 10/13/2017 7:00:52 PM
To: Bolen, Brittany [bolen.brittany@epa.gov]
Subject: EPCRA and CERCLA docs
Attachments: EPCRA routine ag Draft 10.13.17.docx; CERCLA 103 Reporting Guidance for Farms 10122017 .docx

Two attachments.

Current version (as of earlier today) of the EPCRA Q&A in redline.

Draft of CERCLA doc that went to OMB.

Message

From: Fotouhi, David [Fotouhi.David@epa.gov]
Sent: 10/13/2017 3:14:20 PM
To: Bolen, Brittany [bolen.brittany@epa.gov]
Subject: FW: CERCLA 103 Farm Emissions Guidance

FYSA

David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Davis, Patrick
Sent: Friday, October 13, 2017 10:50 AM
To: Gioffre, Patricia ; Bodine, Susan ; Brown, Byron ; Fotouhi, David
Cc: Breen, Barry ; Hilosky, Nick ; Clark, Becki ; Cheatham, Reggie ; Indermark, Michele ; Jennings, Kim ; Brooks, Becky
Subject: RE: CERCLA 103 Farm Emissions Guidance

Thank you. When CERCLA posts on Monday please share the link with me.

Thanks,

Patrick Davis
Environmental Protection Agency
Deputy Assistant Administrator, Office of Land and Emergency Management
202-564-3103 office

Cellular Phone / Ex. 6

Information sent to this email address may be subject to FOIA.

From: Gioffre, Patricia
Sent: Friday, October 13, 2017 10:49 AM
To: Davis, Patrick <davis.patrick@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: RE: CERCLA 103 Farm Emissions Guidance

We will plan to post the 10/12 version of the CERCLA 103 web text by noon on Monday.
I'll keep an eye out for the markups on the continuous release reporting form.
Thanks!

Patty Gioffre
Acting Deputy Division Director
USEPA (OLEM/OEM/RID)
1200 Pennsylvania Ave. NW (5104A)
Washington, DC 20460

202-564-1972

Cellular Phone / Ex. 6

From: Davis, Patrick

Sent: Friday, October 13, 2017 10:45 AM

To: Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>

Cc: Breen, Barry <Breen.Barry@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Clark, Becki <Clark.Becki@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>

Subject: RE: CERCLA 103 Farm Emissions Guidance

Thank you. Michael Formica from the Pork Producers just called. He is send me a redlined version of the continuous release report. I will share it with you when I get it.

Can we please post the CERCLA guidance on our website by Noon on Monday, October 16?

Patrick Davis

Environmental Protection Agency

Deputy Assistant Administrator, Office of Land and Emergency Management

202-564-3103 office

202-380-8341 cell

Information sent to this email address may be subject to FOIA.

From: Gioffre, Patricia

Sent: Friday, October 13, 2017 10:37 AM

To: Davis, Patrick <davis.patrick@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>

Cc: Breen, Barry <Breen.Barry@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Clark, Becki <Clark.Becki@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>

Subject: RE: CERCLA 103 Farm Emissions Guidance

We will have a draft to send forward next week. The streamlined reporting form will need OMB approval.

- OMB, PARMS and RID staff participated in a call yesterday to develop an emergency package to address information collection issues, including streamlining the continuous release reporting form for farmers
- OMB is expecting a package on Monday 10/23

Patty Gioffre

Acting Deputy Division Director

USEPA (OLEM/OEM/RID)

1200 Pennsylvania Ave. NW (5104A)

Washington, DC 20460

202-564-1972

Cellular Phone / Ex. 6

From: Davis, Patrick

Sent: Friday, October 13, 2017 10:32 AM

To: Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>

Cc: Breen, Barry <Breen.Barry@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: RE: CERCLA 103 Farm Emissions Guidance

Hi Patti,

Thank you for sending this. I do not have additional changes.

Please send the "streamlined continuous release report" when it is finished.

Thanks,

Patrick Davis
Environmental Protection Agency
Deputy Assistant Administrator, Office of Land and Emergency Management
202-564-3103 office

Cellular Phone / Ex. 6

Information sent to this email address may be subject to FOIA.

From: Gioffre, Patricia
Sent: Friday, October 13, 2017 10:19 AM
To: Davis, Patrick <davis.patrick@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: RE: CERCLA 103 Farm Emissions Guidance

Yes, there is a revised version to reflect recommendations from OGC. See the attached version. The changes are in redline/strikeout.

Please let me know if you have any questions.

Best wishes!

Patty Gioffre
Acting Deputy Division Director
USEPA (OLEM/OEM/RID)
1200 Pennsylvania Ave. NW (5104A)
Washington, DC 20460
202-564-1972

Cellular Phone / Ex. 6

From: Davis, Patrick
Sent: Friday, October 13, 2017 9:59 AM
To: Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: RE: CERCLA 103 Farm Emissions Guidance

Hi Patti,

Did the CERCLA guidance document change on October 12?

If so, please send the most recent version that we intend to post on Monday, October 16.

Thanks,

Patrick Davis
Environmental Protection Agency
Deputy Assistant Administrator, Office of Land and Emergency Management
202-564-3103 office
202-380-8341 cell

Information sent to this email address may be subject to FOIA.

From: Gioffre, Patricia
Sent: Wednesday, October 11, 2017 3:37 PM
To: Davis, Patrick <davis.patrick@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Breen, Barry <Breen.Barry@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: CERCLA 103 Farm Emissions Guidance
Importance: High

Attached is the most recent version of the guidance for CERCLA 103 reporting. Please note that the hyperlinks in the document may not be active. We will have them working when they go live on the EPA website.

Let me know if you have any questions or concerns.
Best wishes!

Patty Gioffre
Acting Deputy Division Director
USEPA (OLEM/OEM/RID)
1200 Pennsylvania Ave. NW (5104A)
Washington, DC 20460
202-564-1972

Cellular Phone / Ex. 6

From: Davis, Patrick
Sent: Wednesday, October 11, 2017 12:08 PM
To: Bodine, Susan <bodine.susan@epa.gov>
Cc: Brown, Byron <brown.byron@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>
Subject: Re: Farm Emissions

Patti,

Please send this group the most recent version of the guidance.

Thanks,

Patrick Davis
Environmental Protection Agency
Deputy Associate Director, Office of Land and Emergency Management
202-564-3103 office

Cellular Phone / Ex. 6

Emails sent to this address may be subject to FOIA.

Sent from my iPhone

On Oct 11, 2017, at 11:26 AM, Bodine, Susan <bodine.susan@epa.gov> wrote:

Patrick, can you send us the most recent version of the guidance?

From: Davis, Patrick
Sent: Wednesday, October 11, 2017 9:57 AM
To: Brown, Byron <brown.byron@epa.gov>
Cc: Bodine, Susan <bodine.susan@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Subject: Re: Farm Emissions

Both EPCRA Q&A and cercla guidance will post on our website on October 16. OMB has the EPCRA Q&A and we expect it back from them by 10/12.

Patrick Davis
Environmental Protection Agency
Deputy Associate Director, Office of Land and Emergency Management
202-564-3103 office

Cellular Phone / Ex. 6

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Sent from my iPhone

On Oct 10, 2017, at 5:34 PM, Brown, Byron <brown.byron@epa.gov> wrote:

The website (link below) says guidance is to be issued by 10/16, so I'm trying to confirm if that refers to the longer document about how to calculate emissions or the Q/A. If it's the longer document, has that been released?

<https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>

From: Bodine, Susan
Sent: Tuesday, October 10, 2017 5:32 PM
To: Brown, Byron <brown.byron@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Subject: RE: Farm Emissions

I thought the guidance did not go to OMB, only the Q&A.

Deliberative Process / Ex. 5

Patrick, do you have an updated version?

From: Brown, Byron

Sent: Tuesday, October 10, 2017 5:28 PM

To: Davis, Patrick <davis.patrick@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>;
Bodine, Susan <bodine.susan@epa.gov>

Subject: Farm Emissions

Just wanted to clarify whether we have issued the draft guidance for calculating emissions (attached), and if not when we expect to release it. And separately would like to confirm that the draft we sent to OMB is the EPCRA interpretive rule/guidance on routine agricultural operations. Any idea on timing – whether that will get released before Nov. deadline. Thanks.

Byron R. Brown
Deputy Chief of Staff for Policy
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Fotouhi, David [Fotouhi.David@epa.gov]
Sent: 10/12/2017 10:52:18 PM
To: Bolen, Brittany [bolen.brittany@epa.gov]
Subject: FW: CERCLA 103 Farm Emissions Guidance
Attachments: Guidance for Farms DRAFT 10112017 .docx

Importance: High

David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Gioffre, Patricia
Sent: Wednesday, October 11, 2017 3:37 PM
To: Davis, Patrick ; Bodine, Susan ; Brown, Byron ; Fotouhi, David
Cc: Breen, Barry ; Hilosky, Nick ; Clark, Becki ; Cheatham, Reggie ; Indermark, Michele ; Jennings, Kim ; Brooks, Becky
Subject: CERCLA 103 Farm Emissions Guidance
Importance: High

Attached is the most recent version of the guidance for CERCLA 103 reporting. Please note that the hyperlinks in the document may not be active. We will have them working when they go live on the EPA website.

Let me know if you have any questions or concerns.
Best wishes!

Patty Gioffre
Acting Deputy Division Director
USEPA (OLEM/OEM/RID)
1200 Pennsylvania Ave. NW (5104A)
Washington, DC 20460
202-564-1972

Cellular Phone / Ex. 6

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Sent: Wednesday, October 11, 2017 12:08 PM
To: Bodine, Susan <bodine.susan@epa.gov>
Cc: Brown, Byron <brown.byron@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>
Subject: Re: Farm Emissions

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Patrick Davis
Environmental Protection Agency
Deputy Associate Director, Office of Land and Emergency Management
202-564-3103 office

Cellular Phone / Ex. 6

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Subject: Re: Farm Emissions

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Patrick Davis
Environmental Protection Agency
Deputy Associate Director, Office of Land and Emergency Management
202-564-3103 office

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To: Davis, Patrick <davis.patrick@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>;
Bodine, Susan <bodine.susan@epa.gov>

Subject: Farm Emissions

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Byron R. Brown
Deputy Chief of Staff for Policy
Office of the Administrator
U.S. Environmental Protection Agency

Message

From: Nickerson, William [Nickerson.William@epa.gov]
Sent: 4/16/2018 9:10:43 PM
To: Bolen, Brittany [bolen.brittany@epa.gov]
Subject: two quick OMB issues
Attachments: EPCRA Q and A - FARM Act - CLEAN version 4-13-18.docx; EPCRA Q and A - routine agricultural operations - CLEAN version 4-13-18.docx

Brittany,

I have a couple of OMB issues that are timely.

On the recently signed FARM Act and reporting under CERCLA and EPCRA, OLEM has worked up the two attached documents. OGC reports that DOJ is ok with the content of these documents. OGC and OLEM are looking to OP to orchestrate OMB review. Neither office would object to formal review under 12866, but would prefer to give a courtesy heads up or a briefing instead. The main constraint here is time, as we are trying to get these revised documents out the door as soon as possible and definitely before May 1. You'll recall that OMB formally reviewed the previous version of this document. How would you like to proceed? OLEM is looking for direction on a path forward today or tomorrow. I suggest we give OMB a courtesy copy and/or schedule a briefing in the hopes formal review of a 1 page document will not be necessary.

On Friday, we received the Metal Furniture, Large Appliances and Fabric RTR proposal for OMB review. OAR is requesting expedited OMB review of the proposal because we have a 12/31 court order for signature of the final. I'm planning to make the request for expedited review of the proposal at the staff level on Wednesday, but wanted to let you know in case it gets raised up to OMB management.

Bill

Message

From: Paul Schlegel [pauls@fb.org]
Sent: 5/15/2017 6:24:46 PM
To: Dravis, Samantha [dravis.samantha@epa.gov]
CC: Bolen, Brittany [bolen.brittany@epa.gov]
Subject: RE: Agriculture submission to EPA
Attachments: EPA-Final17.0515.pdf

Samantha and Brittany –

As I mentioned last week, a broad spectrum of agricultural organizations have compiled comments for EPA's docket on regulations. I am attaching a copy of the comment letter, which was filed a short while ago.

The comments raise a number of very important issues for producers. If your schedules permit, we would welcome the chance to meet with you to reinforce their importance to our members.

Thanks very much for your willingness to look these over.

Cordially,

Paul

Paul Schlegel
Director, Energy and Environment Team
Direct: (202) 406-3687
Cellular Phone / Ex. 6
Email: pauls@fb.org

From: Dravis, Samantha [mailto:dravis.samantha@epa.gov]
Sent: Thursday, May 11, 2017 2:58 PM
To: Paul Schlegel
Cc: Bolen, Brittany
Subject: RE: Agriculture submission to EPA

Thank you, Paul. Look forward to seeing the comments.

From: Paul Schlegel [mailto:pauls@fb.org]
Sent: Thursday, May 11, 2017 2:41 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Subject: Agriculture submission to EPA

Samantha –

On Monday, a large number of agricultural organizations will make a joint submission to the EPA docket EPA-HQ- OA-2017-0190. American Farm Bureau is coordinating this effort. I've included below a list of the groups currently signing onto the submission.

Once the submission is final, I would like to send you a copy. Additionally, I know we would appreciate the chance to meet with you to underscore the importance of these issues to agriculture generally. We'd be happy to work around your schedule if that is something that would be worthwhile for you.

Thanks very much, and let me know if I can answer any questions.

Paul

Paul Schlegel

Director, Energy and Environment Team

Direct: (202) 406-3687

Cellular Phone / Ex. 6

Email: pauls@fb.org

Groups signing onto Agriculture Regulatory Reform Submission:

Agri-Mark Dairy Cooperative, Inc.
American Dairy Coalition
American Farm Bureau Federation
AmericanHort
American Soybean Association
American Sugar Cane League
California Specialty Crops Council
Dairy Farmers of America
Dairy Producers of New Mexico
Dairy Producers of Utah
Exotic Wildlife Association
Federal Forest Resource Coalition
Idaho Dairymen's Association
Missouri Dairy Association
National Association of Wheat Growers
National Corn Growers Association
National Cotton Council
National Council of Agricultural Employers
National Council of Farmer Cooperatives
National Pork Producers Council
National Milk Producers Federation
National Sorghum Producers
Northeast Dairy Farmers Cooperatives
Panhandle Peanut Growers Association
Professional Dairy Managers of Pennsylvania
South East Dairy Farmers Association
Southwest Council of Agribusiness
St. Albans Cooperative Creamery
Upstate Niagara Cooperative, Inc.
US Apple Association
USA Rice
Western Peanut Growers Association
Western United Dairyman

Message

From: Frye, Tony (Robert) [frye.robert@epa.gov]
Sent: 10/27/2017 6:23:25 PM
To: Bolen, Brittany [bolen.brittany@epa.gov]
Subject: Fwd: EPA Releases Guidance on Reporting Air Emissions of Hazardous Substances from Animal Waste at Farms

Tony

Begin forwarded message:

From: "EPA Region 7 <noreply-subscriptions@epa.gov>" <noreply-subscriptions@epa.gov>
Date: October 26, 2017 at 1:00:42 PM EDT
To: <frye.robert@epa.gov>
Subject: EPA Releases Guidance on Reporting Air Emissions of Hazardous Substances from Animal Waste at Farms



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

EPA Releases Guidance on Reporting Air Emissions of Hazardous Substances from Animal Waste at Farms

10/26/2017

Contact Information:

(press@epa.gov)

(WASHINGTON) — Today, EPA is releasing guidance to assist farmers in reporting air releases of hazardous substances from animal waste at farms. EPA is making this information available to provide time for farmers to review and prepare for the reporting deadline, currently set for November 15, 2017

"EPA is working diligently to address undue regulatory burden on American farmers," said **Administrator Scott Pruitt**. "While we continue to examine our options for reporting requirements for emissions from animal waste, EPA's guidance is designed to help farmers comply with the current requirements."

On December 18, 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substances from animal waste. On April 11, 2017, the DC Circuit Court vacated this final rule. In response to a request from EPA, the DC Circuit Court extended the date by which farms must begin reporting these releases to November 15,

2017. Unless the court further delays this date, all farms (including those previously exempted) that have releases of hazardous substances to air from animal wastes equal to or greater than the reportable quantities for those hazardous substances within any 24-hour period must provide notification of such releases.

The EPA guidance information includes links to resources that farmers can use to calculate emissions tailored to specific species of livestock. To view EPA's guidance and Frequently Asked Questions on reporting air emissions from animal waste: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>.

EPA will revise this guidance, as necessary, to reflect additional information to assist farm owners and operators to meet reporting obligations. Interested parties may submit comments or suggestions by November 24, 2017.

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking [here](#).
Environmental Protection Agency, 11201 Renner Blvd., Lenexa, KS 66219 United States

Message

From: Kime, Robin [Kime.Robin@epa.gov]
Sent: 2/9/2018 3:35:30 PM
To: Bolen, Brittany [bolen.brittany@epa.gov]
Subject: RE: Reports with 13771 designation....RE: Request

Will do!

From: Bolen, Brittany
Sent: Friday, February 9, 2018 10:31 AM
To: Kime, Robin <Kime.Robin@epa.gov>
Subject: Fwd: Reports with 13771 designation....RE: Request

Hi, you or Carolina mind printing off the attachments for me? I want to have the oar and OCSPP ones for my WH meetings later today. Thanks!

Sent from my iPhone

Begin forwarded message:

From: "Owens, Nicole" <Owens.Nicole@epa.gov>
Date: February 9, 2018 at 8:37:08 AM EST
To: "Bolen, Brittany" <bolen.brittany@epa.gov>
Cc: "Lovell, Will (William)" <lovell.william@epa.gov>, "Kime, Robin" <Kime.Robin@epa.gov>
Subject: FW: Reports with 13771 designation....RE: Request

Hi Brittany –

Updated reports are attached. These now include 13771 designations, where applicable.

Nicole

From: Nickerson, William
Sent: Wednesday, February 7, 2018 5:35 PM
To: Bolen, Brittany <bolen.brittany@epa.gov>
Cc: Owens, Nicole <Owens.Nicole@epa.gov>
Subject: RE: Request

The two reports are attached.

OAR has about 80 rules on their list. OCSPP has around 70 on the list, but many of those are Tier 4 actions related to pesticide tolerances. Only around 30 of the OCSPP actions are Tier 1, 2, or 3.

From: Bolen, Brittany
Sent: Wednesday, February 07, 2018 7:44 AM
To: Nickerson, William <Nickerson.William@epa.gov>
Cc: Owens, Nicole <Owens.Nicole@epa.gov>
Subject: Re: Request

Hi, can I also get this same report run for OCSPP as well as OAR by the end of the day, or at least tomorrow morning?

Thanks,
Brittany

On Feb 6, 2018, at 7:40 PM, Bolen, Brittany <bolen.brittany@epa.gov> wrote:

Thanks, Bill. This is what I was looking for!

From: Nickerson, William
Sent: Tuesday, February 6, 2018 4:41 PM
To: Bolen, Brittany <bolen.brittany@epa.gov>
Cc: Owens, Nicole <Owens.Nicole@epa.gov>
Subject: RE: Request

The search we ran yields 14 actions. They are listed below, with more details about projected schedules in the attached document. Note that the list of actions and projected dates are in flux right now because the program offices are working on all their updates for the regulatory agenda.

1. Management Standards for Hazardous Waste Pharmaceuticals
2. CERCLA/EPCRA Reporting Requirements for Air Releases
3. Interpretation of 'Used in Routine Agricultural Operations' under EPCRA
4. RMP Modernization Rule Reconsideration
5. Bioreactor/Wet Landfill Regulations under RCRA Subtitle D
6. OPS Guidance Revision
7. CCR Remand Rule
8. Hazardous Substances Spill Prevention
9. Aerosol Cans as Universal Waste
10. Ignitability Rule
11. PNDD Guidance
12. PCBs in Used Oil Fact Sheet
13. Oklahoma: Approval of State Coal Combustion Residuals State Permit Program
14. Alternative Reporting Options and Revise the Continuous Releases Form for Operations

From: Bolen, Brittany
Sent: Tuesday, February 06, 2018 2:41 PM
To: Nickerson, William <Nickerson.William@epa.gov>
Subject: Request

Hi Bill – is it possible to run an inquiry into ADP for all OLEM actions? I'm looking for a list of all milestones attributed to OLEM actions for the coming year. Also, all OLEM entries into the reg agenda. Please give me a call if you would like to discuss/seek clarification.

Thanks,

Brittany

Brittany Bolen

Deputy Associate Administrator, Office of Policy

U.S. Environmental Protection Agency

(202) 564-3291

Bolen.Brittany@epa.gov

Message

From: Nickerson, William [Nickerson.William@epa.gov]
Sent: 4/18/2018 2:57:54 AM
To: Bolen, Brittany [bolen.brittany@epa.gov]
Subject: Re: requesting approval to send an action to OMB (time sensitive)

Just seeing this now. Will try to catch you first thing in the morning.

Sent from my iPhone

On Apr 17, 2018, at 7:05 PM, Bolen, Brittany <bolen.brittany@epa.gov> wrote:

Bill,

I had a conversation with Rosario this afternoon related to this action and would like to discuss with you first before moving forward with upload. Please call me when you get a minute, Cellular Phone / Ex. 6

Cellular Phone / Ex. 6

Thanks,
Brittany

On Apr 17, 2018, at 4:58 PM, Nickerson, William <Nickerson.William@epa.gov> wrote:

Brittany,

Earlier this afternoon we received the **Q&As for CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms** for transmittal to OMB. This brief guidance document explains that because the FARM Act exempted air releases from animal waste at farms from reporting under CERCLA, those releases would also no longer need to be reported under EPCRA. The intent is to make this guidance available as soon as possible, and definitely before May 1. We have requested expedited OMB review and are planning to follow this guidance with a notice and comment rulemaking.

Please let us know if we may transmit this action to OMB for interagency review, or if you would like additional information. Thank you.

Bill

William (Bill) Nickerson
Associate Office Director
Office of Regulatory Policy and Management
Office of Policy
Phone: (202) 566-0326

Message

From: Bolen, Brittany [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=31E872A691114372B5A6A88482A66E48-BOLEN, BRIT]
Sent: 4/20/2018 1:40:31 PM
To: Nickerson, William [Nickerson.William@epa.gov]
CC: Corrales, Mark [Corrales.Mark@epa.gov]; Curry, Bridgid [Curry.Bridgid@epa.gov]; Maguire, Kelly [Maguire.Kelly@epa.gov]; Lamson, Amy [Lamson.Amy@epa.gov]; Kime, Robin [Kime.Robin@epa.gov]
Subject: Re: requesting approval to send an action to OMB (time sensitive)

Bill,
This is approved for upload.
Brittany

On Apr 19, 2018, at 10:23 PM, Nickerson, William <Nickerson.William@epa.gov> wrote:

Brittany,

We have the Q&As for CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms for transmittal to OMB. This brief guidance document explains that because the FARM Act exempted air releases from animal waste at farms from reporting under CERCLA, those releases would also no longer need to be reported under EPCRA. The intent is to make this guidance available as soon as possible, and definitely before May 1. We have requested expedited OMB review and are planning to follow this guidance with a notice and comment rulemaking.

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Bill

William (Bill) Nickerson

Associate Office Director

Office of Regulatory Policy and Management
Office of Policy
Phone: (202) 566-0326

Sent from my iPhone

Message

From: Bolen, Brittany [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=31E872A691114372B5A6A88482A66E48-BOLEN, BRIT]
Sent: 10/23/2017 8:02:30 PM
To: Samantha Dravis (dravis.samantha@epa.gov) [dravis.samantha@epa.gov]
Subject: FW: CERCLA & EPCRA Ag Reporting Briefing Document
Attachments: AgReportingOPMgmt-10-23-2017-V2.docx

From: Cooperstein, Sharon
Sent: Monday, October 23, 2017 3:42 PM
To: Bolen, Brittany <bolen.brittany@epa.gov>; Kime, Robin <Kime.Robin@epa.gov>
Subject: CERCLA & EPCRA Ag Reporting Briefing Document

Hi Brittany and Robin,

Attached please find the 2-pager we discussed at our meeting on the CERCLA and EPCRA ag. guidance.

Thanks,

Sharon

Sharon Cooperstein
Environmental Protection Agency
Office of Policy
WJC North 3521D | Mail Code 1803A
202-564-7051

Message

From: Bolen, Brittany [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=31E872A691114372B5A6A88482A66E48-BOLEN, BRIT]
Sent: 10/20/2017 2:15:48 PM
To: Rees, Sarah [rees.sarah@epa.gov]
Subject: FW: CERCLA/EPCRA revised Comms Plan and Desk Statement
Attachments: DRAFT Comm Plan for Animal Waste Emissions Guidance 10-16-17 (v.4).docx

From: Bowman, Liz
Sent: Thursday, October 19, 2017 4:08 PM
To: Bolen, Brittany <bolen.brittany@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Subject: FW: CERCLA/EPCRA revised Comms Plan and Desk Statement

Where are we at on this issue and/or announcement??

From: Grantham, Nancy
Sent: Monday, October 16, 2017 5:00 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: CERCLA/EPCRA revised Comms Plan and Desk Statement

FYI .. see revised plan – evidently this could not have gone today as it needs OMB clearance and Interagency comments.

Per Veronica, Patrick will call Pork Association – and give the very basic comment.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Cellular Phone / Ex. 6

From: Benjamin, Kent
Sent: Monday, October 16, 2017 4:29 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Taylor, Trish <Taylor.Trish@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Bekky@epa.gov>
Subject: CERCLA/EPCRA revised Comms Plan and Desk Statement

FYI: per my voicemail

Here is a draft revised comms plan that takes into account the actions occurring today and the necessarily revised posting date. The CERCLA/EPCRA package can't get posted on the web until OMB receives all materials in ROCIS and gets Interagency comments – which they want up to a work week to do starting today. Changes are in red.

Highlights in the revised draft Comms Plan:

- Press coverage wanted (*National Release) per instructions by Administrator Pruitt today
- Question of whether we add a national release press approach in response to Administrator's request
- Pre and Post publication desk statements

- Reference to CERCLA and EPCRA content being add to ROCIS at OMB by OP Staff
- Possible call by Patrick Davis to Pork Association – presumably using the new sentence in the desk statement about “working expeditiously to make the guidance available to farmers.”

Revised 10/16/17 4:00 p.m.

DESCRIPTION OF ISSUE

On December 18, 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substances from animal waste. This final rule applied to:

- Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and
- Section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA), if the farms stable or confine fewer than a certain number of animals.

On April 11, 2017, the DC Circuit Court vacated this final rule.

In response to a request from EPA, the DC Circuit Court extended the date by which farms must begin reporting these releases to November 15, 2017. Starting on this date, all farms (including those previously exempted) that have releases of hazardous substances to air from animal wastes equal to or greater than their reportable quantities within any 24-hour period must provide notification of such releases.

To assist farmers in calculating and reporting their emissions from animal waste, EPA is releasing guidance one month prior to the reporting deadline of November 15, 2017. EPA is working with agricultural trade associations and the Farm Bureau to convey the guidance information to owners and operators of farms with livestock.

Timeframe: Release EPA Guidance on October XX, 2017.

CONTACTS

SMEs:

Kim Jennings 564-7998
 Patricia Gioffre 564-1972
 Sicy Jacob 564-8019

Communications:

George Hull OEM 564-0790
 Trish Taylor, OCPA 566-2615
 Christie St. Clair, OPA 564-2880
 Eileen Mayer, OEM (Web) 564-9628

TARGETED AUDIENCES

- Owners and Operators of farms with livestock
- Agricultural Trade Associations focused on livestock
- State, local, and tribal governments (including SERCs, LEPCs, and TERCs)
- Environmental groups

MESSENGER(S)

- OEM / RID
- OLEM / OPA /OCIR

KEY MESSAGES

- EPA is releasing guidance to assist farmers in estimating their air releases and meeting reporting requirements for air releases of hazardous substances from animal waste at farms.
- ~~EPA intends to make this information available to farmers by October 16, 2017, to provide time for farmers to review and comply with reporting requirements.~~
- EPA is working expeditiously to have this guidance available to farmers to give them time to review it and comply with the reporting requirements.
- Farmers are required to begin reporting emissions of hazardous substances from animal waste on November 15, 2017.

Background: On December 18, 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substances from animal waste. This final rule applied to:

- Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and
- Section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA), if the farms stable or confine fewer than a certain number of animals.

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RECOMMENDED ACTIVITIES

Media Activities

- Desk Statement re: date extension "If Asked"

EPA is working expeditiously to have this guidance available to farmers to give them time to review it and comply with the reporting requirements.

- News release to targeted agricultural focused outlets only
 - National Association of Farm Broadcasting (NAFB)
 - Agri-Pulse
 - Manure Manager
 - Farm Factor
 - Oklahoma Farm Report
 - Ag Annex
 - Agri-View
 - Morning Ag Clips
 - Ag Inspirations (This is the radio show of one of our AADG Participants)
 - Dairybusiness
 - Farm World Online
 - National Hog Farmer
 - AgWired
 - Farm Futures
 - AgriNews
 - Capital Press
 - Farm Journal
 - Harvest Public Media, KCUR

- Modern Farmer
- Progressive Farmer
- Successful Farming
- Mainstream National Release?

New Media Activities

- Web content updated with Frequent Questions

Outreach Activities

- OEM Listserv and External Notifications
 - Livestock Trade Associations:
 - National Cattleman's Beef Association
 - Arizona Cattle Growers Association
 - National Chicken Council
 - National Turkey Federation
 - US Poultry and Egg Association
 - United Egg Producers
 - National Pork Producers Council
 - National Pork Board
 - National Milk Producers Federation
 - Mid-Atlantic Dairy Association
 - Nisei Farmers League
 - Innovation Center for US Dairy
 - Dairy Farmers of America
 - Dairy Management Inc.
 - Livestock and Poultry Environmental Learning Center (extension agents at land grant universities)
 - Seaboard Farms
 - Tyson Foods
 - State, Local and Tribal Officials
 - National Association of State Title III Officials (NASTPO), SERCs, TERCs, LEPCs
 - National Association of State Departments of Agriculture
 - National Association of Clean Air Agencies – Agriculture Committee
 - American Farm Bureau Federation
 - Agricultural Retailers Association (ARA)
 - The Fertilizer Institute (TFI)
 - National Farmers Union
 - Enviros/NGOs
 - Sierra Club
 - Congressional Notifications

OCIR will provide e-mail notification to congressional committees with substantive jurisdiction:

 - Senate Environment and Public Works
 - Senate Agriculture
 - House Energy and Commerce
 - House Agriculture
 - OCFO will provide e-mail notification to congressional Appropriations committees

Internal Notifications

- Public Affairs (PADs)

- AAs and RAs
- CERCLA EPCRA Guidance Workgroup members

Collateral Materials

Responsible Party

- | | |
|---|-----------------------|
| • OEM/SERC-TERC Updates Listserv messages | Margaret Gérardin |
| • News release | Christie StClair, OPA |
| • Desk Statements (pre-pub and post-pub) | Trish Taylor, OCPA |
| • Q&As (external) | Sicy Jacob, RID Reg |
| • Q&As (internal) | Sicy Jacob, RID Reg |
| • Web content | Eileen Mayer |
| • OEM Web-posting | Eileen Mayer |

TIMELINE

Due Date	Time	Action	Owner
10-3-17		Draft comms plan to AA for approval	George Hull/Trish Taylor OCPA
10-5-17		Draft press release, internal/external QAs to AA for approval	Sicy Jacob/Trish Taylor
10-11-17		Draft comms plan, press release, internal/external QAs to OPA	OPA/OCPA Trish Taylor
10-16-17		Desk Statement re: date extension	OCPA/OPA, Trish Taylor Christie StClair
10-16-17		Guidance / FAQs to OMB to upload to ROCIS* for Interagency Review	OP / PARMS
10-16-17		Revise web content to reflect date extension (original target date Oct 16)	RID Comms Team/Eileen Mayer
10-16-17		External Call: Pork Assoc (Re: date extension notification)	P. Davis
10-xx-17		Interagency Review completed	OP/ PARMS
10-xx-17	Morning of announcement / press release	External Notification Call: Livestock Trade Associations	OEM/RID
	Morning of	External Notification Call: Farm Bureau	OEM/RID
	Morning of	External Notification Call: National Association of State Title III Officials, SERCs, TERCs	OEM/RID
	Morning of	Congressional e-mail notification	George Hull/Carolyn Levine
	Morning of	PAD Notification	Christie St.Clair OPA
	Morning of	AA/RA Notification	Becky Brooks
	Morning of	Post web content and external Q+A	Eileen Mayer
	Afternoon	Issue press release to targeted outlets	Christie St. Clair
	Afternoon (post-press release)	E-mail notification to livestock trade associations, Farm Bureau, State Ag contacts.	Margaret Geradin and George Hull
	Afternoon (post-press release)	OEM Listserv and SERC-TERC Updates Listserv	Margaret Gérardin

* ROCIS: Regulatory Information Service Center/Office of Information and Regulatory Affairs Consolidated Information System Guidance

Message

From: Beach, Christopher [beach.christopher@epa.gov]
Sent: 2/21/2018 9:30:02 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Block, Molly [block.molly@epa.gov]
Subject: Updated Year in Review Report
Attachments: DRAFT Year End Document_CB edits adn Liz round 1.docx

Here's the latest version with my edits in track changes. I think it will need some small tweaks once we're finished with the letter and accomplishments page so the whole product fits together nicely. Let me know what next steps are and how I can help.

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Accomplishments

- **Withdrew from the Job-Killing Paris Climate Agreement:** EPA Administrator Pruitt worked with President Trump to withdraw the United States from the Paris Agreement, until the COP agree to fair terms for America.
- **Restored Cooperative Federalism:** Administrator Pruitt has visited nearly 30 states in his first year on the job meeting with stakeholders, governors and other elected officials, to ensure EPA is being responsive to local needs for our diverse country.
- **Cleaning Up the Superfund Mess:** Of the 1,345 sites on EPA's National Priority list, EPA has eliminated – in whole or substantial part – seven since March 2017.
 - EPA is on track to close in whole or in part 27 more in 2018.
 - EPA is on track to issue clean up decisions (RODs) on 14 of over \$50 million in clean up this year.
- **Stopped Conflict of Interests for EPA Advisory Committees:** Administrator Pruitt has reformed scientific advisory boards to ensure independence, geographic diversity, and integrity in EPA science. No member of EPA's federal advisory committees will be able to receive agency grants to better ensure independence.
- **Draining the Swamp:** EPA staff is at the lowest levels since the Reagan presidency, as on boarded employees are now about 14,100.

Regulatory Reform

- **Stopped Backdoor Sue & Settle:** EPA ended the practice of settling lawsuits with activist groups pushing their agenda behind closed doors. Ending the days of 'regulation through litigation,' EPA will handle pending litigation in an open, transparent process that allows affected stakeholders to participate – and saves taxpayers millions of dollars in attorneys' fees and settlements – effectively taking away a source of taxpayers funding activist agendas.
- **Ended the War on Coal and the "Clean Power Plan":** Following issued a Notice of Proposed Rulemaking (NPRM).
 - EPA proposed to determine that the Obama-era regulation exceeds the Agency's statutory authority.
 - Repealing the CPP will also facilitate the development of U.S. energy resources and reduce unnecessary regulatory burdens associated with the development of those resources.
 - When Obama first took office there were 86,400 coal mining jobs; when he left office there were only 50,00, (a loss of nearly 4,550 a year). As of December 2017, there are now 50,500 jobs, the first net increase in years.
- **Redefining a "Water of the U.S.":** EPA, Department of Army, and Army Corps of Engineers are moving forward with a two-step process to rescind the 2015 "Waters of the United States" rule and redefine it in a way that provides farmers and land owners the regulatory certainty they need, while also returning power back to states and localities.
- **Properly Implementing TSCA:** EPA has cleared a backlog of 700 new chemicals waiting permits for sale. By July, EPA had eliminated the backlog assessing new chemical risk within 90 days – allowing manufacturers to innovate and create jobs.

PULL OUT: In EPA Administrator Pruitt's first year at the EPA, the agency issued 22 deregulatory actions that saved the American people more than \$1 billion in regulatory costs.

Core Mission

After taking office, EPA Administrator Scott Pruitt laid out his One of the three pillars of Administrator Pruitt's "Back-To-Basics Agenda" is to refocus the Agency on its core mission: clean air, land and water. The EPA was founded in 1970 in order to consolidate the federal government's environmental efforts under one roof and better enforce the environmental laws passed by Congress. Under the previous administration, EPA drifted from its original charter and tried to expand its authority and jurisdiction into areas outside its core mission. In the process, it neglected the central responsibilities of the Agency and allowed real environmental threats to fester. Administrator Pruitt returned the Agency to its core mission and prioritized issues at the heart of EPA's purpose: improving air quality, cleaning up contaminated lands, improving water infrastructure, and ensuring chemicals get to the U.S. market safely. EPA made immense progress on these fronts in 2017, and the American people saw real, tangible results.

~~, restore power to the states through cooperative federalism, and improve Agency processes and adhere to the rule of law. This philosophy, coupled with the mission of protecting human health and the environment, ensures future generations inherit a cleaner, healthier environment that supports a thriving economy.~~

AIR: Improve Air Quality

Clean Power Plan

~~EPA Administrator Scott Pruitt took the first steps to propose a repeal of the so-called Clean Power Plan (CPP) on October 10, 2017. The so-called Clean Power Plan Obama-era regulation not only exceeded the Agency's statutory authority – and the U.S. Supreme Court agreed – but it also imposed unnecessary regulatory burdens on affordable energy for hardworking American families. Administrator Pruitt took the first steps to propose a repeal of the so-called Clean Power Plan (CPP) on October 10, 2017. EPA's action on CPP is estimated to save up to \$33 billion in avoided compliance costs.~~

As part of the on-going repeal process, the Agency heard directly from stakeholders and citizens most impacted by the ~~overreaching~~ rule, including a listening session in Charleston, West Virginia – the heart of coal country. Three additional listening sessions will take place in 2018 in Kansas City, Missouri; San Francisco, California; and Gillette, Wyoming.

In a separate but related action, EPA issued an Advance Notice of Proposed Rulemaking (ANPRM) to solicit information from the public about a potential replacement to CPP that would be consistent with the Clean Air Act when it comes to regulating emissions from power plants and would also be in tune with those most affected by the rule.

Ozone

Under current measurements, roughly 40% of the nation fails to meet attainment standards under the National Ambient Air Quality Standards (NAAQS). EPA is committed to partnering with states to improve air quality throughout the country. Under Administrator Pruitt's leadership, EPA gave states more flexibility by extending the deadline to designate 2015 National Ambient Air Quality Standards (NAAQS) for ozone. EPA also while working with states to develop air quality plans, address underlying technical issues and ensure that more Americans are living and working in areas that meet NAAQS. Administrator Pruitt also established an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

Consistent with Administrator Pruitt's pledge to be more responsive to local needs, on November 6, 2017, EPA announced it was moving forward with designations for 90 percent of the country.

Coal Ash

EPA's core mission reflects the belief that states play an integral role in environmental protection. In the spirit of cooperative federalism keeping with this notion, EPA Administrator Scott Pruitt informed states that the Agency is working on guidance for implementing state permitting programs to manage the safe disposal of coal combustion residuals (CCR), also known as "coal ash." The new guidance – included in the Water Infrastructure Improvements for the Nation Act (WIIN Act) – allows flexibility in individual CCR permits by enabling states to decide what works best for their environment and the continued beneficial use of coal ash.

EPA released interim guidance to help states develop and submit permit programs putting more states on track to obtain CCR authority. The interim guidance establishes a framework to outline EPA's approval process and also provides checklists to aid states as they develop their programs.

Renewable Fuels Standard

As directed by the Clean Air Act, EPA finalized volume requirements for the Renewable Fuel Standard (RFS) maintaining renewable fuel volumes at levels comparable to the 2017 standards, recognizing limits to the growth of cellulosic and advanced biofuels, and understanding both market realities and consumer demand on deadline as directed by the Clean Air Act. The proposed standards will help stabilize the renewable fuels program and provide certainty for stakeholders.

"Once In Always In"

EPA issued a guidance memorandum withdrawing the "Once In Always In" policy for the classification of major sources of hazardous air pollutants under the Clean Air Act (Act). The memo reduces unnecessary burdens deterring innovative efforts to improve the environment.

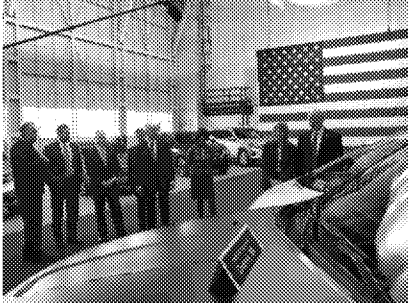
In a 1995 memo, EPA established a "once in always in" policy that determined that any facility subject to major source standards would always remain subject to those standards, even if production processes changed or controls were implemented that eliminated or permanently reduced that facility's potential to emit hazardous air pollutants. This policy is a disincentive to efforts to improve air quality and is also inconsistent with the Clean Air Act.

EPA issued a guidance memorandum in January 2018 withdrawing the "once in always in" policy. The memo from EPA's Office of Air and Radiation Assistant Administrator Bill Wehrum finds that EPA had no statutory authority under the Act to place a time limit on when a facility may be determined to be an area source, and that a plain language reading of the Act must allow facilities to be reclassified as area sources once their potential to emit hazardous air pollutants falls below the levels that define major sources. This action represents another step by EPA to reduce burdens that deterred one of its core efforts: improving air quality.

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Fuel Economy Standards

EPA has taken multiple steps over the past year to roll back the regulatory overreach of the previous administration on the transportation sector.



Alongside Department of Transportation (DOT) Secretary Elaine Chao, EPA Administrator Scott Pruitt announced the agencies intentions to reopen the public comment period for the previous administration's finalized standards on fuel economy for cars and light-duty trucks for Model Year 2025 to ensure that the program is beneficial for both consumers and the environment.

EPA also reviewed and ~~in turn then~~ issued a proposal to undo the regulatory overreach of the Phase II Fuel Efficiency Standards for medium and heavy duty trucks.

Agriculture Emissions Reporting

EPA ~~has twice requested and the D.C. Circuit Court approved extensions for reporting air releases from animal waste. EPA sought and attained this additional time in order to provide compliance assistance to farmers, update its guidance, and develop a more-streamlined reporting form.~~

Landfill Methane

EPA instituted a 90-day administrative stay for the August 2016 New Source Performance Standards and Emissions Guidelines for municipal solid waste landfills to reconsider portions of the standards and guidelines. EPA estimates that implementing these rules would cost businesses more than \$100 million annually.

WATER: Provide for Clean and Safe Water

Waters of the United States (WOTUS)

~~One of the more egregious examples of EPA overstepping its authority occurred with the 2015 Waters of the United States (WOTUS) rule. On February 28, 2017, President Donald Trump issued an Executive Order directing EPA and the U.S. Army Corps of Engineers (Army Corps) to review and rescind (or revise) the 2015 Waters of the United States (WOTUS) Rule. Within a few months, the agencies proposed a rule to rescind the 2015 WOTUS to provide regulatory certainty to American farmers, landowners and businesses and put an end to one-size-fits-all regulations from Washington.~~

In the interim, EPA and Army Corps issued a second rulemaking to re-evaluate the definition of "waters of the United States." This will ensure any future proposed rule is implemented consistent with Supreme Court decisions, agency guidance, and longstanding practice.

PULL OUT: Pruitt Quote

Water Infrastructure

Our nation's water infrastructure is in dire need of repair. Roughly 700 water main breaks occur across the United States every day – over 200,000 per year. Not surprisingly, the American Society of Civil Engineers gave our nation's drinking water, wastewater and hazardous waste infrastructure a "D" grade.

Then there's the problem of lead in our drinking water. The contamination in Flint, Michigan awakened much of the nation to the harms of lead poisoning. EPA has taken important steps to aid Flint's recovery and improve water infrastructure across the nation.

Flint, Michigan

EPA has worked diligently to improve Flint's infrastructure and recovery in the wake of their ~~its~~ water crisis. In March 2017, EPA awarded a \$100 million grant to the Michigan Department of Environmental Quality to accelerate and expand its work to replace lead service lines and make other critical infrastructure improvements. Later ~~that in the~~ year, EPA completed a period review of Michigan's drinking water program and released a report identifying key steps the state should take to ensure they are providing safe and clean drinking water.

In addition, EPA concurred with Michigan's plans to forgive Flint's past drinking water debt. Over the past year, EPA has worked in partnership with the State of Michigan and the City of Flint to ensure that water quality continues to improve. This partnership has produced one of the most robust drinking water data sets in the country and EPA remains committed to working closely with the state of Michigan, Flint and local partners to protect public health and ensure that Flint's water quality continues to remain safe to drink.

PULL OUT: Pruitt, Snyder, Weaver Quote

"The people of Flint and all Americans deserve a more responsive federal government," said EPA Administrator **Scott Pruitt**. "EPA will especially focus on helping Michigan improve Flint's water infrastructure as part of our larger goal of improving America's water infrastructure."

"I appreciate the EPA approving this funding to assist with Flint's recovery," said **Michigan Governor Rick Snyder**. "Combined with the nearly \$250 million in state funding already allocated, this will help keep Flint on a solid path forward. It's great to see federal, state and local partners continuing to work together to help with infrastructure upgrades and pipe replacements for the people of Flint."

"We are excited and very grateful to receive these much needed funds," said **Flint Mayor Karen Weaver**. "The City of Flint being awarded a grant of this magnitude in such a critical time of need will be a huge benefit. As we prepare to start the next phase of the FAST Start pipe replacement program, these funds will give us what we need to reach our goal of replacing 6,000 pipes this year and make other needed infrastructure improvements. We look forward to the continued support of the EPA and federal government."

WIFIA

Critical to improving the nation's water infrastructure is the Water Infrastructure Finance and Innovation Act (WIFIA). WIFIA received an additional \$8 million from Congress this year on top of the \$17 million in appropriated funds from December 2016. This allowed the WIFIA program to lend approximately \$1.5 billion for water infrastructure projects. This year's projects receiving WIFIA loans will leverage more than \$1 billion in private capital and other funding sources, including EPA's State Revolving Fund (SRF) loans, to help finance a total of \$5.1 billion in water infrastructure investments.

PULL OUT: From wastewater and drinking water to storm water and water recycling projects, WIFIA loans financed water infrastructure improvements across the country: (LIST BELOW)

1. Miami-Dade County, Florida - Ocean Outfall Discharge Reduction and Resiliency Enhancement Project
2. San Francisco Public Utilities Commission, California - Southeast Water Pollution Control Plant Biosolids Digester Facilities Project
3. Metropolitan St. Louis Sewer District, Missouri - Deer Creek Sanitary Tunnel and Sanitary Relief

4. City of Omaha, Nebraska - Saddle Creek Combined Sewer Overflow Retention Treatment Basin
5. Orange County Water District, California - Groundwater Replenishment System Final Expansion
6. City of San Diego, California - Pure Water San Diego
7. Indiana Finance Authority, Indiana - Indiana Finance Authority FY 2017
8. King County, Washington - Georgetown Wet Weather Treatment Station
9. Baltimore City Department of Public Works, Maryland - Comprehensive Infrastructure Repair, Rehabilitation and Replacement Program
10. Maine Water Company, Maine - Saco River Water Treatment Facility
11. City of Morro Bay, California - Water Reclamation Facility Project
12. City of Oak Ridge, Tennessee - Water Treatment Plant Design and Construction

Effluent Limitations Guidelines

After careful reconsideration, EPA finalized a rule postponing certain compliance dates by two years for the effluent limitations guidelines and standards for steam electric power plants under the Clean Water Act (ELG Rule). It has been estimated to cost \$480 million annually including \$1.2 billion annually during the first five years of compliance.

LAND: Revitalize Land for Reuse

Superfund

Formatted cool: "I am making it a priority to ensure contaminated sites get cleaned up. We will be more hands-on to ensure proper oversight and attention to the Superfund program at the highest levels of the Agency, and to create consistency across states," said EPA Administrator Scott Pruitt.

The number of toxic sites being added to EPA's National Priorities List has increased under every administration since the first list was released under ~~former~~ President Ronald Reagan. Administrator Pruitt is putting an end to this trend. By the end of 2018, EPA will be on track to close, in whole or part, 27 Superfund sites.

Ensuring the Superfund program and EPA's land and water cleanup efforts operate effectively and efficiently is a cornerstone of the Agency's core mission. In elevating EPA's focus on Superfund cleanup, Administrator Pruitt created a Superfund Task Force – comprised of Agency experts from the Office of Land and Emergency Management, Office of Enforcement and Compliance Assurance, Office of General Counsel, and Regional Offices – to streamline and improve the program.

Within a few months, the Superfund Task Force released their report providing 42 specific and detailed recommendations under the following overarching goals:

1. Expediting Cleanup and Remediation
2. Re-Invigorating Responsible Party Cleanup and Reuse
3. Encouraging Private Investment
4. Promoting Redevelopment and Community Revitalization
5. Engaging Partners and Stakeholders

Following the recommendations of the Superfund Task Force, Administrator Pruitt released two dynamic lists of Superfund sites on the National Priorities List (NPL) including those 21 sites targeted for immediate and intense attention and 31 sites with the greatest expected redevelopment and commercial potential.

The first list includes sites that will benefit from Administrator Pruitt's direct engagement and have identifiable actions to protect human health and the environment. These are sites requiring timely

resolution of specific issues to expedite cleanup and redevelopment efforts. Ultimately, it is designed to spur action at sites where opportunities exist to act quickly and comprehensively.

Superfund redevelopment has helped countless communities reclaim and reuse thousands of acres of formerly contaminated land. The redevelopment list easily directs interested developers and potential owners to Superfund sites with redevelopment potential, but does not necessarily include all possible sites with similar potential.

In addition, EPA completed deletion activities at seven sites on the Superfund NPL in Administrator Pruitt's first year, up from two in 2016. These sites from Minnesota and Massachusetts to Wyoming and Nebraska reflect Administrator Pruitt's commitment to accelerating progress, reducing risks at Superfund sites and returning sites to productive use.

PULL OUTS: East Chicago, San Jacinto, West Lake Landfill

East Chicago

- As one of his first acts in office, Administrator Pruitt visited the USS Lead Superfund Site in East Chicago, Indiana – something no other EPA Administrator had done. This specific site was listed on both the NPL in 2009 and Administrator Pruitt's list of sites targeted for immediate and intense action. After visiting the site, EPA began taking public comment and Administrator Pruitt ordered potentially responsible parties to clean-up the site. In meeting with East Chicago residents, federal, state and local offices, he pledged improved coordination and communications as cleanup continues.

Years of Inaction Are Over: West Lake

- On February 1, 2018, after 25 years of inaction, EPA put forth its plan to clean up the West Lake Landfill, a dumping ground for radioactive waste from the Manhattan Project. The plan will remove a majority of the dangerous radioactive material posing unacceptable risks to the public.
- The West Lake announcement demonstrates Administrator Pruitt's vision for the Superfund program: "The people of the St. Louis region deserve clarity and answers with respect to the remediation of the West Lake Landfill. I promised them an answer, and today I am making good on that commitment."
- "I can tell you that we are happy with this decision, and what this does for us is it gives us direction. We've gone without a decision at the site for 10 years, and it's time that we have direction," said Karen Nickel of the Just Moms STL advocacy group. ([St. Louis' CBS Radio](#), 02/01/18)

San Jacinto:

- The cleanup plan to address highly toxic dioxin contamination at the San Jacinto Waste Pits Superfund site in Harris County, Texas was approved by Administrator Pruitt in the fall of 2017. The plan provides certainty to both people living near the site – by permanently addressing risk posed by the contamination – and economic interests including the businesses that rely on the San Jacinto River for navigation and the Interstate-10 transportation corridor.
- "Not long after Hurricane Harvey battered Houston last summer, Environmental Protection Agency Administrator Scott Pruitt stood on the banks of the San Jacinto River and surveyed a decades-old toxic waste site as divers checked whether the storm had unearthed dangerous chemicals. Days later, he ordered two corporations to spend \$115 million to excavate the contamination rather than leaving it covered." ([Washington Post](#), 01/23/18)

CERCLA Hardrock Mining

In January 2017, the previous administration proposed regulations under section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) that would impose financial responsibility requirements on certain hardrock mining facilities. On February 24, 2017, EPA issued a 120-day extension of the comment period related to proposed financial responsibility requirements for the hardrock mining industry and in December 2017 EPA Administrator Pruitt announced the Agency will not issue final regulations. After careful analysis of nearly 11,000 public comments and the Agency's statutory authority, EPA announced in December 2017 that it would not issue the final rule. The risks associated with these facilities' operations are already addressed by existing federal and state programs and industry practice. This decision saved American businesses and the mining industry up to \$171 million a year.

CHEMICALS: Ensure Safety of Chemicals

Toxic Substances Control Act (TSCA)

Under the Toxic Substances Control Act (TSCA), which amended the 1976 Lautenberg Chemical Safety Act, EPA has the responsibility to review and approve the safety of new chemicals intent on entering the U.S. marketplace. When Administrator Pruitt was confirmed, over 600 new chemicals were stuck in review. Within four months of being confirmed, EPA halved the backlog of new chemical submissions being reviewed under TSCA, and by July, bringing the number of cases down from roughly 300 to 150 with plans to fully eliminate the backlog by the end of July. Administrator Pruitt followed through with this commitment effectively addressing and effectively eliminating the backlog by July. In addition, EPA Administrator Pruitt is committing the Agency to a more predictable process for making safety determinations by following operating principles and increasing transparency.

Under Administrator Pruitt's leadership, in addition, EPA exceeded expectations and met its statutory responsibilities under TSCA on the one-year anniversary of the Frank R. Lautenberg Chemical Safety for the 21st Century Act under the law. This included issuing three new rules, providing a guidance document for external parties, and releasing the scoping documents for the first 10 risk evaluations.

EPA is working diligently to implement the new law TSCA, the first major update to an environmental statute in 20 years, and get ensure that the most modern and safe chemicals get to market quickly in order to provide regulatory certainty for manufacturers and confidence for American consumers.

Chlorpyrifos

Under the previous administration, EPA proposed to revoke all food residue tolerances for chlorpyrifos. The public record lays out serious scientific concerns and substantive process gaps in the proposal from Natural Resources Defense Council and Pesticide Action Network North America. Reliable data, overwhelming in both quantity and quality, contradicts the reliance on and misapplication of studies to establish the end points and conclusions used to rationalize the proposal.

EPA In March 2017, Administrator Pruitt signed an order denying a petition that sought to ban a crucial pesticide crucial to U.S. agriculture – chlorpyrifos. This action provided regulatory certainty to thousands of American farmers that rely on the widely used pesticide, while still being protective of human health and the environment.

Dicamba

On October 13, 2017, EPA reached an agreement with Monsanto, BASF and DuPont on measures to further minimize the potential for dicamba drift to damage neighboring crops from the use of dicamba.

New requirements for the use of dicamba "over the top" (application to growing plants) will allow farmers to make informed choices for seed purchases for the 2018 growing season. EPA worked cooperatively with states, land-grant universities, and pesticide manufacturers to examine the underlying causes of recent crop damage in the farm belt and southeast, certain regions and reach an agreement.

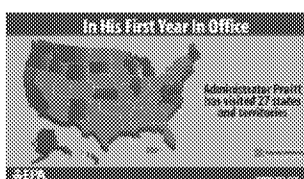
Pesticide Applicators Rule

Informed by feedback from states and stakeholders that more time and resources are needed to prepare for compliance with the rule, EPA issued a 12-month extension for the implementation of the revised final Certification and Training of Pesticide Applicators rule. The extended timeline enabled EPA to work with states and provide adequate compliance and training resources.

Cooperative Federalism

Under Administrator Pruitt, states are once again partners, not adversaries, in efforts to protect the environment. States will no longer be treated as vessels of federal will. Administrator Pruitt has returned EPA to the practice of consulting with and listening to those we regulate. In his first year, under the previous administration, states were often treated as vessels of federal will. No longer. By embracing cooperative federalism, EPA Administrator Pruitt has worked to empower state and local partners to develop regulations that achieves positive environmental outcomes. Putting his words into action, Administrator Pruitt got out of Washington and heard directly from stakeholders in the states.

Enhanced Shared Accountability



"The change in the federal administration offers us as governors the opportunity to develop new relationships and to build stronger state and federal relationships," said **Montana Governor Steve Bullock**.

Florida Governor Rick Scott said, "It is great to have a partner in Administrator Pruitt and the Trump Administration and I am glad to see their focus on protecting Florida's environment for future generations."

State Implementation Plans

Rather than work cooperatively with states to implement clean air programs, President Obama's EPA imposed more than 50 Federal Implementation Plans (FIPs) – the equivalent of a top-down mandate -- on states. Under Pruitt's leadership, EPA has turned at least one FIP into a State Implementation Plan (SIP) approximately every month. Administrator Pruitt also inherited a backlog of over 700 unapproved SIPs upon taking office. Since March 2017, EPA has worked with states to approve 206 SIPs. EPA recognizes that states have an enormous role to play in environmental protection and we can improve outcomes through collaboration, not federal dictates.

EPA Administrator Pruitt approved revisions to the Arkansas Regional Haze State Implementation Plan (SIP) for nitrogen oxide at electric-generating units within the state. This action is the first step to replacing the embattled and one-size-fits-all Federal Implementation Plan (FIP) dating back to 2012. EPA worked hand in hand with Arkansas for the last year to update the state's plan in lieu of the FIP currently in place. This well-coordinated, cooperative approach, allows the state flexibility to meet federal requirements while ensuring the protection of human health and the environment.

PULL OUT: During the Obama Administration, more than 50 Federal Implementation Plans (FIP) were imposed on states, including nearly 20 under the Regional Haze program. Under the Trump Administration, with EPA Administrator Pruitt's leadership, EPA has turned at least one FIP into a State Implementation Plan (SIP) approximately every month and over 200 SIPs have been approved since March 1, 2017.

Stakeholder Engagement

Smart Sectors

In 2017, EPA launched Smart Sectors, a partnership program between the Agency and regulated sectors focused on achieving better environmental outcomes. A sector-based, collaborative approach provides a significant opportunity for EPA to consider more forward-thinking ways to protect the environment and provide regulatory certainty.

EPA staff have embarked on educational site tours, hosted roundtables with Agency leadership, analyzed data and been advised about options for environmental improvement; EPA has also maintained open dialogue with business partners and their environmental committees; and, developed reports that profile the impact of each sector on the environment and the economy.

~~Smart Sectors aims to facilitate better communication and streamline operations internally at EPA.~~

Grants

In FY 2017, EPA awarded 40 grants to 32 communities, totaling \$20,211,608.00, under the National Estuary Program.

In FY 2017, EPA awarded 279 grants to 172 communities, totaling \$56.8 million in EPA Brownfields.

In FY 2017, EPA awarded 75 grants to 72 communities, totaling \$33,289,577.00, under the Clean Diesel Program.

PULL OUT: EPA awarded nearly \$1.2 million in competitive grants to 36 local-based community and tribal organizations to conduct research, provide education, and develop community-driven solutions to local health and environmental issues in minority, low-income, and tribal communities. Specific environmental justice grant projects will focus on: reducing exposure to lead and other water pollutants; developing green infrastructure and sustainable agriculture projects; implementing basic energy efficiency measures in low-income households; and increasing overall community resiliency.

Natural Disaster Preparedness, Response and Recovery

Throughout 2017 EPA worked closely with ~~S~~states and territories to prepare for and respond to a number of natural disasters including Hurricanes Harvey, Irma, and Maria, and catastrophic wildfires in the West. Administrator Pruitt visited Corpus Christi, TX, on August 30, 2017, to meet with responders and assess EPA relief efforts, and Houston, TX twice – on September 15, 2017, to review the Agency's response efforts and October 20, 2017 with stakeholders monitoring cleanup efforts at the San Jacinto Waste Pits Superfund site.

PULL OUT: STATS AT A GLANCE

Hurricanes Irma and Maria generated enough debris to fill Yankee Stadium seven times

Harvey:

- Conducted on-site assessments at approximately 625 drinking water and 440 waste water treatment facilities
- Collected more than 1000 orphan containers, which included drums and tanks found floated in or washed up near waterways
- Safely disposed of over 20 million cubic yards of debris

Maria:

- Completed over 1,000 drinking water assessments in USVI alone
- Collected more than 225,000 items of household hazardous waste, white goods and electronic waste in Puerto Rico and USVI
- Assessed close to 400 vessels in Puerto Rico and close to 500 in USVI with the U.S. Coast Guard

Rule of Law

Agency Reform

Sue and Settle

~~"The days of regulation through litigation are over," said EPA Administrator Scott Pruitt. "We will no longer go behind closed doors and use consent decrees and settlement agreements to resolve lawsuits filed against the Agency by special interest groups where doing so would circumvent the regulatory process set forth by Congress. Additionally, gone are the days of routinely paying tens of thousands of dollars in attorney's fees to these groups with which we swiftly settle."~~

~~Over the years, special interest groups have used lawsuits in a process called "sue and settle" to skirt the regulatory process and try to force federal agencies — especially EPA — to issue regulations that advance their interests and priorities. In October 2017, EPA Administrator Pruitt signed an Agency-wide directive designed to end "sue and settle" practices. "Sue and settle" cases establish Agency obligations without participation by states and/or the regulated community, exclude meaningful public participation in rulemaking, effectively force the Agency to reach certain regulatory outcomes and cost American taxpayers millions of dollars. This directive provides an unprecedented level of public participation and transparency in EPA consent decrees and settlement agreements.~~

~~Over the years, outside the regulatory process, special interest groups have used lawsuits that seek to force federal agencies — especially EPA — to issue regulations that advance their interests and priorities, on their specified timeframe.~~

~~PULL OUT QUOTE: "The days of regulation through litigation are over," said EPA Administrator Scott Pruitt~~

PULL OUT: By the Numbers

- ~~Taxpayers foot the \$5.8 million bill from legal fees for three "Big Green" special interest groups between 1995 and 2010~~
- ~~Settlements with NGOs on Utility Maximum Achievable Control Technology imposed \$9.6 billion in added costs~~
- ~~North Dakota Regional Haze backroom deal imposed federal regulations on 7 states and added \$5 billion in costs~~

Advisory Boards

Administrator Pruitt issued a directive on October 31, 2017, to ensure independence, geographic diversity and integrity in EPA's science committees. According to EPA calculations, in just the last three years, members of three of EPA's 22 Federal Advisory Committees – the Science Advisory Board, Clean Air Scientific Advisory Committee, and the Board of Scientific Counselors – received upwards of \$77 million in direct EPA grant funding while concurrently serving on these committees. Administrator Pruitt issued a new directive in the fall of 2017 to ensure that any advisors serving on an EPA Federal Advisory Committee are independent and free from any real, apparent or potential interference with their ability to objectively serve as a committee member. In addition, Administrator Pruitt increased the representation of EPA's science boards to include more geographic diversity, increasing past representation from 32 states to over 40.

ENFORCEMENT

Tough enforcement measures are essential to restoring respect for the rule of law. Within the last year, Administrator Pruitt implemented a novel two-pronged approach to enforcement: 1) helping the regulated community understand and comply with the law, and 2) vigorously holding bad actors accountable. ~~Thanks to the paradigm of cooperative federalism,~~ This was achieved through a wide range of enforcement tools including compliance assistance, civil actions, administrative actions, informal actions, work-sharing with states, and criminal fines and incarceration where appropriate.

Since January 20, 2017, through the end of Fiscal Year 2017, EPA imposed:

- More than \$1.72 billion in civil penalties, cost recovery, natural resource damages, and other monetary recoveries;
- More than \$2.91 billion in criminal fines, restitution, and other assessments; and
- More than \$3.13 billion in injunctive relief and environmental mitigation projects.

PULL OUT:

- An increase in the value of commitments by private parties to clean up sites to more than \$1.2 billion.
- An increase in the environmental benefits of EPA Superfund and RCRA Corrective Action enforcement, with commitments to address an estimated 20.5 million cubic yards of contaminated soil and 412 million cubic yards of contaminated water.
- An increase in the total of criminal fines, restitution, and mitigation to \$2.98 billion.
- An increase in the years of incarceration resulting from EPA's criminal enforcement actions to 150 years.
- An increase in the value of actions taken to improve compliance with the law and reduce pollution, to nearly \$20 billion.
- \$1.6 billion in administrative and civil judicial penalties, higher than any of the previous 10 years other than FY 2016, which included the \$5.7 billion BP action.

Media

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 1/11/2018 12:41:37 PM
Subject: January 11 issues
Attachments: 8.3 issues (002) (002) (003) (002) (002) (003) (002) (003) (003) (003) (002) (002) (003) (005) (003) (002) (003) (002) (004) (002) (002) (002) (003) (002) (002) ((015).docx

Message

From: Taylor, Trish [Taylor.Trish@epa.gov]
Sent: 10/4/2017 5:50:56 PM
To: StClair, Christie [StClair.Christie@epa.gov]; Valentine, Julia [Valentine.Julia@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
CC: Brooks, Becky [Brooks.Becky@epa.gov]; Daguillard, Robert [Daguillard.Robert@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]
Subject: RE: draft communications planning tool for CERCLA / EPCRA Reporting Requirement guidance doc
Attachments: DRAFT Comm Plan for Animal Waste Emissions Guidance 10-3-17 (v.2).docx

Hi all,
+Looping in Liz

I've updated the calendar entry to include the draft communications strategy for the CERCLA / EPCRA reporting requirements for air releases of hazardous substances from animal waste at farms guidance.

The draft strategy is also attached here.

It has been reviewed/approved by Acting AA Barry Breen and DAA Patrick Davis.

OEM is currently working on the communications materials which will include a draft press release, desk statement, webpage update and Q&As.

- The press release mentioned in the plan will be targeted specifically to ag outlets only.
- OEM/OGC are currently revising the draft Q&As.

Please let me know if you have any questions or concerns about our planned approach.

Thank you,
Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

From: Taylor, Trish
Sent: Monday, October 02, 2017 11:54 AM
To: StClair, Christie <StClair.Christie@epa.gov>
Cc: Valentine, Julia <Valentine.Julia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: draft communications planning tool for CERCLA / EPCRA Reporting Requirement guidance doc

Hi Christie, Julia and Nancy,

I attached this draft comms planning tool to your OPA Calendar for Monday, October 16, 2017.

It's the short, planning tool showing the programs planned approach for outreach. I hope to have the more detailed draft communications strategy and materials very soon. Please let me know if you have any questions/comments on the 1-pager planning tool.

Thank you,

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

Message

From: Lovell, Will (William) [lovell.william@epa.gov]
Sent: 10/31/2017 4:23:45 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]
Subject: RE: for tomorrow morning's cabinet meeting
Attachments: 171030_Press Release Tracker.docx

Thank you! For reference, please find attached the most recent WINS doc, updated yesterday.

From: Bowman, Liz
Sent: Tuesday, October 31, 2017 12:20 PM
To: Bolen, Brittany <bolen.brittany@epa.gov>
Cc: Lovell, Will (William) <lovell.william@epa.gov>
Subject: RE: for tomorrow morning's cabinet meeting

Oh, I am sorry! I thought it was Daisy. Will, it's GREAT; good work!

From: Bolen, Brittany
Sent: Tuesday, October 31, 2017 12:19 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Lovell, Will (William) <lovell.william@epa.gov>
Subject: RE: for tomorrow morning's cabinet meeting

Please note, Will has been the one maintain the "WINS" doc.

From: Bowman, Liz
Sent: Tuesday, October 31, 2017 11:50 AM
To: Jackson, Ryan <jackson.ryan@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Darwin, Henry <darwin.henry@epa.gov>
Cc: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: RE: for tomorrow morning's cabinet meeting

Adding Daisy – we can work on this together, she keeps track of all this stuff.

From: Jackson, Ryan
Sent: Tuesday, October 31, 2017 11:48 AM
To: Dravis, Samantha <dravis.samantha@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Darwin, Henry <darwin.henry@epa.gov>
Subject: for tomorrow morning's cabinet meeting

I need to provide SP with a pocket card of 60 seconds worth of positive EPA recent accomplishments – regulatory, permitting, reorganization, etc.

Can the press shop and policy shop help put something together on this?

I can't find the example that he used or was given to use for the Camp David cabinet meeting, but that's still a good start.

Ryan Jackson
Chief of Staff
U.S. Environmental Protection Agency

Personal Phone / Ex. 6

2017 WINS

FEBRUARY 2017

February 17, 2017 – EPA Administrator Scott Pruitt Sworn In

February 24, 2017 – EPA Awards \$1.09 million DERA Grant to Gees Bend Ferry in Wilcox County, AL (Region 4)

- EPA is funding this repowering project through the Alabama Department of Transportation (ALDOT) as a part of the National Clean Diesel Funding Assistance Program.
- The DERA award will provide partial funding to replace the current diesel-powered ferry with a 100% electric ferry. This will be the first zero-emission passenger/vehicle ferry of its type in the United States, and only the second of its kind in the world.
- Example of how EPA collaboration with state partners can produce environmental as well as economic benefits

February 24, 2017 – Pruitt meets with Texas Governor Greg Abbott in Washington, DC

February 24, 2017 – EPA Extends Comment Period on Hard Rock Mining Proposed Rule

- 120 Day extension
- EPA estimates predict the implementation of these requirements would cost American businesses up to \$171 million a year.
- A court has ordered EPA to act on this new regulation by December 1, 2017, and the Agency fully intends to act consistent with the court's order.
- Extending this comment period demonstrates that we are listening to miners, owners and operators all across America and to all parties interested in this important rule

February 24, 2017 – Pruitt meets with Governor Eddie Baza of the Island of Guam

February 24, 2017 – EPA, City of Tacoma, Clover Park Technical College, and Goodwill partner for environmental training, jobs and careers in Pierce County (Region 10)

- A \$200,000 EPA Environmental Workforce Development and Job Training Grant (formerly Brownfields Grant) is funding recruiting, entry level training, career counseling and job placement services that are a gateway to careers in construction, contamination remediation, hazardous material handling, and more.
- Brownfields job training programs provide unemployed and underemployed citizens and transitioning servicemen and veterans with valuable technical skills that enable them to get good jobs in their communities.

February 26, 2017 – Pruitt Hosts Western Governors for Sunday Morning Breakfast

- Governor Bill Walker (Alaska)
- Governor Gary Herbert (Utah)
- Governor Dennis Daugaard (S.D.)
- Governor Mary Fallin (Okla.)
- Governor Butch Otter (Idaho)
- Governor Steve Bullock (Mont.)
- Governor Kate Brown (Ore.)
- Governor Matt Mead (Wyo.)
- Governor Doug Burgum (N.D.)
- Governor David Ige (Hawaii)
- Governor Brian Sandoval (Nev.)
- Governor John Hickenlooper (Colo.)

February 28, 2017 – President Donald Trump issued an Executive Order directing EPA and the U.S. Army Corps of Engineers to review and then rescind or revise the 2015 WOTUS Rule

February 28, 2017 – EPA Awards \$380,000 to Diné College for Abandoned Uranium Mine Study to support the Agency's Cove Watershed Assessment Project (Region 9)

- The project, expected to be completed in 2018, is part of the EPA's work to assess and cleanup Tronox (formerly Kerr-McGee) abandoned uranium mines sites.
- Partnering with Diné College is an excellent way to train future engineers and scientists as they investigate hazardous waste in their community.

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- During the Cold War, 30 million tons of uranium ore were mined on or adjacent to the Navajo Nation, leaving more than 500 abandoned mines.
- EPA has entered into settlement agreements valued at \$1.7 billion to reduce the highest risks to the Navajo people.
- Since 2008, EPA has conducted preliminary investigations at all of the mines, remediated 48 contaminated structures, provided safe drinking water to 3,013 families in partnership with the Indian Health Service, and performed cleanup or stabilization work at nine mines.
- In total, funds are available to begin the cleanup process at over 200 abandoned uranium mines, approximately 40% of the abandoned uranium mines on the Navajo Nation.
- This work is a large coordinated effort between federal agencies and the Navajo Nation to address the legacy of uranium contamination.

February 28, 2017 – Pruitt Delivers Remarks to the 2017 Farm Bureau Advocacy Conference

MARCH 2017

March 2, 2017 – Pruitt Delivers Remarks at the U.S. Conference of Mayors Meeting

March 2, 2017 – EPA Withdraws Information Request for the Oil and Gas Industry

- EPA withdrew its request that owners and operators in the oil and natural gas industry provide information on equipment and emissions at existing oil and gas operations.
- The withdrawal is effective immediately, meaning owners and operators – including those who have received an extension to their due dates for providing the information – are no longer required to respond.
- This action also comes after the agency received a letter on March 1, 2017, from nine state Attorneys General and the Governors of Mississippi and Kentucky, expressing concern with the pending Information Collection Request for Oil and Gas Facilities.
- Under the previous administration, EPA sent letters to more than 15,000 owners and operators in the oil and gas industry, requiring them to provide information. The information request comprised of two parts: an “operator survey” that asked for basic information on the numbers and types of equipment at all onshore oil and gas production facilities in the U.S., and a “facility survey” asking for more detailed information on sources of methane emissions and emission control devices or practices in use by a representative sampling of facilities in several segments of the oil and gas industry.
 - EPA is withdrawing both parts of the information request.

March 3, 2017 – EPA Awards a \$91,000 environmental education grant to the Natural history Museum of the Adirondacks and a \$87,093 environmental education grant to the Buffalo Niagara Riverkeeper Water Academy Program (Region 2)

March 8, 2017 – EPA Awards \$3.3 Million in Wetlands Grants to Help State and Tribal Wetland Programs in New England (Region 1)

- The Wetland Program Development Grants provide interstate agencies, tribes, and nonprofit organizations with funding to develop and refine comprehensive state, tribal, and local wetlands programs.
- EPA believes these grants are a good example of our productive relationship with state partners, achieving meaningful environmental benefits for American communities by working collaboratively.
- Protecting wetlands is a cost-effective way to help communities take advantage of the significant benefits provided by healthy wetlands: buffering from storms and flooding, filtering stormwater, protecting habitat and offering recreational enjoyment.

March 13, 2017 – Idaho Selected to Receive \$2.5 Million EPA Grant to Improve Air Quality in Cache Valley (Region 10)

- Targeted Airshed grant funds will be available to help support the community's ability to take action on air quality issues and develop meaningful local solutions
- The Cache Valley airshed includes the city of Preston and parts of Franklin County, Idaho as well as the city of Logan, Utah and parts of Cache County, Utah.

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- In 2009, EPA designated the Cache Valley cross-border airshed as nonattainment for particulate matter levels that were above the National Ambient Air Quality Standard. Cache Valley is impacted by fine particle air pollution especially during wintertime air stagnation weather events that trap pollution in the valley.
- Idaho DEQ has been working with the community, local businesses, and the Cache Valley Airshed Advisory Group to reduce fine particle emissions from multiple sources.
- Targeted Airshed funds will support projects to reduce fine particle air pollution, including: changing out older, less efficient woodstoves to reduce smoke emissions; providing free home weatherization and energy audits; increasing community outreach and education with a new smart phone air quality app; improving winter road salt and sanding operations to reduce road dust; retrofitting gas station storage tanks with air pollution controls; and sustaining commuter bus service between Preston, Idaho and Logan, Utah.

March 13, 2017 – EPA Extends the Effective Date of Risk Management Plan Rule by 90 Days

- Administrator Pruitt took action to reconsider the RMP Rule and signed an administrative stay to delay the effective date of the rule regarding chemical accident preparedness and prevention, until June 19, 2017.
- The 90-day extension will allow time for EPA to consider whether to further extend the effective date of the rule through a rulemaking action while the Agency reconsiders the rule in response to a petition the agency received in February 2017 from the RMP Coalition.

March 13, 2017 – Alaska to Receive \$2.5M EPA Grant to Improve Air Quality in Fairbanks (Region 10)

- In 2009, EPA designated the Fairbanks North Star Borough airshed as nonattainment for fine particle pollution under the Clean Air Act National Ambient Air Quality Standards. The borough has been unable to meet the 24-hr fine particle or PM_{2.5} standard and has recorded the highest level of fine particle pollution in the nation.
- Fine particle pollution levels spike in Fairbanks during the many severe cold air inversions that occur each winter.
- The biggest source of fine particles are the woodstoves and hydronic heaters many residents use to heat their homes, contributing 60 to 80 percent of pollution levels during the winter.
- Using cleaner sources of home heating, especially during winter weather inversions, can greatly reduce fine particle emissions.
- For those who must burn wood, using dry wood in professionally installed EPA-certified woodstoves, and using proper techniques to burn wood hotter, both reduces fine particle pollution and the amount of wood burned. Woodstove change-out programs help lower fine particle emissions by reducing the number of high polluting solid fuel-fired heating devices in an area.

March 15, 2017 – EPA Announces with DOT intent to Reexamine Emissions Standards for Cars and Light Duty Trucks MY22-25

- Revisiting the previous administration's rule that finalized standards to increase fuel economy to the equivalent of 54.5 mpg for cars and light-duty trucks by Model Year 2025
- DOT to re-open the Mid-Term evaluation process and work with the EPA to complete the review in a transparent, data-driven manner
- MTE process was established as a part of the 2012 final greenhouse gas emissions standards for model years 2017-2025.
 - This requires EPA to determine no later than April 1, 2018, whether the 2022-2025 standards established are appropriate.
- The action the agency is taking today will ensure that deadline is met. If the agency believes that the final determination issued by the previous administration is not realistic, it would submit a new proposal for public comment.

March 16, 2017 – EPA Continues Reimbursing Gold King Mine Costs

- EPA has provided over \$90,000 in additional reimbursements to five entities in Colorado and Utah for their costs incurred responding to the August 5, 2015
- These payments represent requests received by EPA prior to December 16, 2016, that had adequate documentation. They were evaluated following enactment of the Water Infrastructure Improvements for the Nation (WIIN) Act on December 16, 2016. EPA is still evaluating other reimbursement requests, some of which were received after December 16, 2016.

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- The payments are made using EPA guidelines for determining which response costs related to the Gold King Mine release are eligible for reimbursement under the recently passed WIIN Act.
- To date, EPA has dedicated more than \$29 million to address the Gold King Mine release, including reimbursing more than \$3.5 million in documented and allowable response costs to 10 state, tribal, and local governments.

March 17, 2017 – EPA Awards \$100M to Flint, Michigan for Water Infrastructure Upgrades

- The funding, provided by the Water Infrastructure Improvements for the Nation Act of 2016, or WIIN, enables Flint to accelerate and expand its work to replace lead service lines and make other critical infrastructure improvements.
- The WIIN funding supplements EPA's Drinking Water State Revolving Fund (SRF), a federal-state partnership. In addition to the federal funds announced today, the State of Michigan is providing the required 20% match of \$20 million. Over the years, EPA has provided more than \$32.5 billion to states for infrastructure upgrades through the Drinking Water State Revolving Fund.
- Under President Trump's budget blueprint SRF remains fully funded, and the proposal provides robust funding for the Water Infrastructure Finance and Innovation Act (WIFIA) program to finance critical drinking and wastewater infrastructure.

March 17, 2017 – EPA Begins Groundwater, Soil Cleanup at Oakland Superfund Site (Region 9)

- The AMCO Chemical Superfund site was a distribution facility from 1960 to 1989. Bulk chemicals were off-loaded from a rail spur onsite and stored in drums and storage tanks before being transferred to smaller containers for resale; contaminants were released into the soil and groundwater during operations. The 0.9-acre site is bordered on one side by residences.

March 20, 2017 – EPA to Resume Cleanup at USS Lead Superfund Site in East Chicago, Indiana

- EPA is resuming cleanup work in zones 2 and 3 of the USS Lead Superfund site in East Chicago in April.
- EPA has reached an agreement with several potentially responsible parties to fund part of this work valued at an estimated \$16 million -- in addition to the \$26 million already secured for work under a 2014 consent decree.
- In zone 2 this year, EPA plans to remove contaminated soil at an estimated 72 priority properties. These properties were prioritized due to high concentrations of lead or arsenic, or because pregnant women or children who live there are more sensitive to risks from exposure. EPA will test inside each home and conduct thorough cleanings as needed.
- In zone 3 this year, EPA plans to clean up the yards at an estimated 120 properties. EPA will also test inside each home and conduct thorough cleanings as needed.
- EPA's work in zone 1 is currently on hold while the Agency waits for the city's determination of the future use of the property.

March 23, 2017 – Pruitt Hosts Idaho Governor Butch Otter

March 28, 2017 – Energy Independence Executive Order

- To protect thousands of jobs and strengthen energy security, while also ensuring that our policies provide clean air and clean water for all of our citizens.
- The Energy Independence Executive Order directs agencies responsible for regulating domestic energy production to submit plans to the White House, which will identify, and propose measures to revise or rescind, regulatory barriers that impede progress towards energy independence.
- The Order rescinds several Obama executive orders and policies related to climate change.
- It also directs the Administrator of the Environmental Protection Agency and the Secretary of the Interior to review, and if necessary, revise or rescind, several regulations that may place unnecessary, costly burdens on coal-fired electric utilities, coal miners, and oil and gas producers.

March 28, 2017 – EPA to Oversee the Second Phase of \$43M Cleanup of Pompton Lake (Region 2)

March 29, 2017 – Pruitt Denies Petition to Ban Chlorpyrifos

- In October 2015, under the previous Administration, EPA proposed to revoke all food residue tolerances for chlorpyrifos, an active ingredient in insecticides.
- This proposal was issued in response to a petition from the Natural Resources Defense Council and Pesticide Action Network North America. The October 2015 proposal largely relied on certain epidemiological study outcomes, whose application is novel and uncertain, to reach its conclusions.

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- The public record lays out serious scientific concerns and substantive process gaps in the proposal. Reliable data, overwhelming in both quantity and quality, contradicts the reliance on – and misapplication of – studies to establish the end points and conclusions used to rationalize the proposal.
- The USDA disagrees with the methodology used by the previous Administration. Similarly, the National Association of State Departments of Agriculture also objected to EPA’s methodology. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Scientific Advisory Panel (SAP) also expressed concerns with regard to EPA’s previous reliance on certain data the Agency had used to support its proposal to ban the pesticide.
- The FIFRA SAP is a federal advisory committee operating in accordance with the Federal Advisory Committee Act and established under the provisions of FIFRA, as amended by the Food Quality Protection Act of 1996. It provides scientific advice, information and recommendations to the EPA Administrator on pesticides and pesticide-related issues regarding the impact of regulatory decisions on health and the environment.

March 30, 2017 – \$962,275 to the Commonwealth of the Northern Mariana Islands’ BECQ (Region 9)

- Part of the current award will go towards cleaning up Saipan’s watersheds by reducing pollution from outhouses, illegal on-site disposal systems, animal waste, and storm water runoff. Funding will also be allocated to encourage local hotels to “green” their operations by installing energy efficient lighting and laundry services, with the goals of preventing pollution and reducing operating costs.

March 30, 2017 – Sherwin-Williams Company to clean up lead and arsenic contaminated soil and sediment at the Route 561 Dump site in Gibbsboro, N.J. (Region 2)

- The site is near a former paint manufacturing plant and was used as a paint waste dump.
- The Route 561 Dump site includes businesses, a vacant lot, White Sand Branch creek, and wetlands.
- Sherwin-Williams will pay an estimated \$14 million to clean up the site, and pay the EPA’s expenses in overseeing the work.

March 31, 2017 – CTDABA, EPA’s Regional Laboratory with U.S. FDA Shellfish Sanitation Program will begin conducting a hydrographic dye dilution study beginning April 3 (Region 1)

March 31, 2017 – Pruitt Seeks Additional Time on RMP Rule

- Scott Pruitt signed a proposed rule to further delay the effective date of EPA’s RMP Amendments to allow EPA time to complete the process for reconsidering the RMP Amendments issued on January 17, 2017.
- Pruitt’s proposal to further delay the effective date of the amendments will allow the Agency time to evaluate the objections raised by multiple petitioners and consider other issues that may benefit from additional public input.
- The Agency will also use this time to ensure that all provisions in the RMP Amendments are in accordance with the explicit mandate granted to EPA by Congress in the Clean Air Act Amendments of 1990.
- The proposed rule signed by Administrator Pruitt on March 29, 2017, would, if finalized, further delay the effective date of amendments to the Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act until February 19, 2019.

March 31, 2017 – EPA Orders Asbestos Removal from Former Muncie Foundry (Region 5)

- EPA expects work to begin the week of April 3 and be completed by late summer.
- Under CERCLA EPA will spend up to \$1 million to perform the cleanup. EPA does not expect to register the site on the national Superfund list, which tracks the nation’s most contaminated sites.

APRIL 2017

April 3, 2017 – CSX/ALI Receive the Region 4 “Excellence in Site Re-Use” Award for Work at the Raleigh Street Superfund Site in Tampa, Fla. (Region 4)

- CSX/ALI received this honor, because of the work they accomplished as a part of the required site cleanup. This included the restoration of the site property to natural ecological conditions that would support re-establishment of the native habitat.

April 4, 2017 – Pruitt meets with Brad Wall the Premier of Saskatchewan, Canada

April 5, 2017 – \$300,000 to Industrial Microbes, Inc., located in Emeryville, Calif., for its innovative work aimed at making chemical manufacturing more efficient and less polluting. (Region 9)

April 5, 2017 – Pruitt Delivers Remarks at Ag America Conference

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April 5, 2017 – EPA, U.S. Navy Announce Agreement to close three illegal large capacity cesspools in Oahu (Region 9)

April 6, 2017 – EPA Honors 2017 Energy Star Partners of the Year

April 6, 2017 – Pruitt meets with Evaristo Cruz, Chairman of the National Tribal Caucus

April 6, 2017 – Per President Trump’s Executive Order, “Enforcing the Regulatory Reform Agenda,” EPA’s Regulatory Reform Task Force, led by the Office of Policy, submitted a Federal Register notice today to solicit public comments on EPA regulations.

- Supporting the restoration of America’s economy through extensive reviews of the misaligned regulatory actions from the past administration
- Walking back past abuses of the regulatory process to advance an ideological agenda that expanded the reach of the federal government.
- The notice will include a docket that all EPA program offices will use to collect comments specific to their issues.
- EPA’s Regulatory Reform Task Force is simultaneously working with program offices to gather their recommendations for specific rules that should be considered for repeal, replacement or modification.
- EPA regional offices, program offices, and other officials will report back by May 15, 2017.

April 12, 2017 – EPA ordered the Municipality of Toa Alta, along with current and past operators of the Toa Alta Municipal Solid Waste Landfill, to take immediate actions to address conditions at the landfill that may present potential threats to human health and the environment. (Region 2)

- Under the order, the landfill’s owner, the Municipality of Toa Alta, and its operators will be required to:
 - repair leachate collection systems
 - cover exposed areas of the landfill on a daily basis to help control odors and blowing debris
 - cover inactive areas of the landfills
 - inspect incoming loads of waste to separate out hazardous wastes and prohibited materials

April 12, 2017 – EPA, Pruitt Launch Back-to-Basic Agenda at PA Coal Mine

- The *Back-to-Basics* agenda refocuses the EPA on protecting the environment, promoting economic and job growth, and returning power to the states.

April 12, 2017 – Former Kokomo Superfund site now 29-acre solar farm consists of 21,000 solar panels used to convert sunlight into electricity to power 1,000 local homes. (Region 5)

April 12, 2017 – EPA continues response to chemical spill from U.S. Steel’s Portage, Ind., facility (Region 5)

April 13, 2017 – EPA moves to review and reconsider ELG Rule

- EPA to review and reconsider the final rule that amends the effluent limitations guidelines and standards for the steam electric power generating category under the Clean Water Act (ELG Rule), which has been estimated to cost \$480 million per year and has a reported average cost of \$1.2 billion per year during the first five years of compliance.
- EPA issued an administrative stay to delay the compliance deadlines for the ELG Rule during the pendency of the ongoing litigation challenging the rule in order to give the agency the opportunity to consider and review the rule.
- EPA will also be sending a letter to the petitioners who requested reconsideration of the rule, to notify them that the rule has been administratively stayed and is under review.

April 13, 2017 – OMB Guidance on Reorganizing the Government

- Returning EPA to its core mission

April 19, 2017 – EPA announces DERA grant funding

- to modernize the nation’s diesel fleet by retrofitting or replacing vehicles with cleaner, more efficient diesel engines

April 19, 2017 – EPA to Reconsider Oil and Gas Rule

- In a letter to petitioners today, EPA announced the agency’s intent to grant a reconsideration of the Oil and Gas New Source Performance Standards for New, Reconstructed, and Modified Sources Rule (NSPS Rule/Methane NSPS/Oil and Gas Rule/0000a), and stay a June 3 compliance date for 90 days, as EPA takes public comments.
- EPA is convening a proceeding for reconsideration of the Final Rule, “Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources,” published June 3, 2016, at 81 FR 35824.

April 19, 2017 - \$200,000 Brownfields area-wide planning grant to the Redevelopment Authority of the City of Harrisburg (Region 3)

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April 19, 2017 – EPA Visits Contaminated East Chicago Site, Meets with State and Local Officials

- PA has taken the following actions to expedite cleanup at the USS Lead Superfund in East Chicago under Administrator Pruitt's leadership:
- Water Supply
 - East Chicago is receiving \$16.5 million in EPA State Revolving Fund (SRF) funding for drinking water infrastructure upgrades.
 - EPA, the state and the city are working together to coordinate lead service line replacement with cleanup work to expedite completion of the work and minimize disruptions.
 - EPA provided 54 homes with filters and bottled water while Superfund work was underway at those properties in Zones 2 and 3. This year, Indiana will distribute filters to all residents in Zones 2 and 3.
- Remediation
 - EPA resumed cleanup work in Zones 2 and 3 after the agency reached an agreement with several potentially responsible parties to fund part of this work at an estimated value of \$16 million.
 - This year, EPA plans to remove contaminated soil at an estimated 73 high priority properties in Zone
 - This year in Zone 3, EPA plans to clean up the yards at an estimated 120 properties. EPA will also test inside each home and conduct thorough cleanings as needed.
- Governor Eric Holcomb, Senator Joe Donnelly (D-Ind.), Senator Todd Young (R-Ind.), Congressman Pete Visclosky (D-Ind.), State Senator Lonnie Randolph (D-East Chicago) and State Representative Earl Harris Jr. (D-East Chicago)

April 20, 2017 - \$197,500 Grant to Wilmington, DE Brownfields (Region 3)

April 20, 2017 – Pruitt Brings Back to Basics Agenda to Missouri Power Plant

April 20, 2017 – EPA Announces Winners of 5th Annual campus RainWorks Challenge

April 21, 2017 – Pruitt Delivers Remarks at Earth Day Texas

April 24, 2017 – EPA Releases Request for applications for Coastal Watershed Restoration in SE New England (Region 1)

April 24, 2017 – EPA Begins Hazardous Waste Cleanup in Milwaukee (Region 5)

- EPA will begin removing hazardous waste, abandoned chemicals, incinerator ash, and damaged asbestos from a former school and daycare facility previously owned by the VE Carter Child Development Corp. at 2001 W. Vliet St., Milwaukee.

April 24, 2017 – EPA Announces public Meeting on Proposed Cleanup Plan for American Creosote Works Superfund Site in Pensacola, Florida

- EPA is soliciting public comments on the proposed plan for 30 days beginning on April 22, 2017.

April 24, 2017 – EPA Awards Nearly \$1.3M to Guam for Environmental Protection (Region 9)

April 26, 2017 – Sixteen area residents graduated from the U.S. Environmental Protection Agency's Superfund Job Training Initiative program. (Region 10)

- Many of the graduates will fill available jobs with the environmental contractors cleaning up asbestos contamination at the North Ridge Estates Superfund Site in Klamath Falls, Oregon.

April 26, 2017 – Pruitt Meets with Nevada Governor Brian Sandoval

April 28, 2017 – EPA Awarded \$123,680 to LDNR to protect groundwater from underground injection or disposal wells. (Region 6)

- An injection well is used to place fluid underground into porous geologic formations. These underground formations may range from deep sandstone or limestone, to a shallow soil layer. Injected fluids may include water, wastewater, brine (salt water), or water mixed with chemicals. The Safe Drinking Water Act requires that underground sources of drinking water be protected from contamination that might migrate from these wells.

April 28, 2017 – EPA kicks off Website Updates

April 28, 2017 – EPA, State of Alaska, and Zender Environmental Health and Research Group to honor environmental job training graduates from Alaska Native Villages (Region 10)

MAY 2017

May 1, 2017 - Fairbanks North Star Borough is reclassified as a "serious" nonattainment area for fine particulate air pollution. (Region 10)

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- On April 28, 2017, EPA officially re-classified the Fairbanks North Star Borough area from “Moderate” to “Serious” nonattainment for the 2006 24-Hour PM_{2.5} or Fine Particulate Matter National Ambient Air Quality Standard. EPA’s final determination will be published in the Federal Register and become effective 30 days from the date of publication.
- Under the Clean Air Act, Fairbanks was required to meet the standard by December 31, 2015. EPA found that Fairbanks did not attain the standard based on 2013-2015 air quality data and the area must be reclassified from “Moderate” to “Serious” nonattainment.
- The State of Alaska will be required to submit a serious air quality plan for Fairbanks by December 31, 2017. The state and the Borough are already working to develop a serious plan with technical assistance and support from EPA.
- The serious plan must include the adoption of Best Available Control Measures and Best Available Control Technology (BACM/BACT) and demonstrate attainment of the standard no later than December 31, 2019.

May 1, 2017 – EPA awarded \$331,811 to the New Mexico Environment Department (NMED) for several Superfund cleanup sites around the state (Region 6)

May 1, 2017 - EPA Promotes Cooperation with States to Facilitate Safe Disposal of Coal Ash

- Pruitt sent a letter informing states that EPA is working on guidance for implementing state permitting programs that allow flexibility in individual permits to manage the safe disposal of coal combustion residuals, known as CCR or “coal ash.”
- New guidance will allow for the safe disposal and continued beneficial use of coal ash, while enabling states to decide what works best for their environment.
- Based on the concept of cooperative federalism that is the hallmark of our environmental laws, section 2301 of the Water Infrastructure Improvements for the Nation Act (WIIN Act) authorizes state permit programs to manage coal combustion residuals.
- Through the WIIN Act, Congress provided authority for states to operate permit programs, as long as the EPA determines that the state’s requirements are at least as protective as the federal standards.
- On December 19, 2014, EPA’s CCR Final Rule was issued, but did not grant EPA or states the authority to directly regulate and permit safe coal ash disposal, making citizen lawsuits the primary enforcement mechanism for disposal of coal ash under the rule.

May 2, 2017 – EPA awarded \$158,101 to the Louisiana Department of Health and Hospitals (LDHH) to support several public drinking water systems in Louisiana. (Region 6)

May 2, 2017 – EPA Program to Provide \$1B in Credit to Finance Over \$2B in Water Infrastructure Investment

- EPA Water Infrastructure Finance and Innovation Act (WIFIA) program received 43 letters of interest from prospective borrowers for projects to update our nation’s water infrastructure.
- EPA’s WIFIA program will provide \$1 billion in credit to finance over \$2 billion in water infrastructure investments.
- EPA received letters from entities seeking loans for the program from all over the country, demonstrating the high demand from businesses seeking to invest in the economy and local communities.
- WIFIA credit assistance can be used for a wide-range of projects, from drinking water treatment to seawater desalination and drought mitigation to water recycling. About a third of prospective borrowers indicated they plan to co-finance their projects with other funding tools available through EPA, the Drinking Water or the Clean Water State Revolving Funds.
- WIFIA works separately from, but in coordination with, the State Revolving Fund programs to provide subsidized financing for large dollar-value projects. By combining the benefits of the WIFIA and SRF programs, more communities can benefit from innovative loans and financing.
- EPA issued a Notice of Funding Availability (NOFA) on January 10, 2017, to solicit letters of interest from prospective borrowers seeking WIFIA credit assistance.

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- For its initial project selection round, EPA announced availability of up to \$17 million of budget authority appropriated for the WIFIA program to provide credit assistance.
- EPA estimates this budget authority will provide approximately \$1 billion in credit assistance and finance over \$2 billion in water infrastructure investment.

May 3, 2017 – Pruitt Meets with U.S. Rep. John Shimkis (Ill.-15)

May 3, 2017 – Pruitt Meets with U.S. Rep. Greg Walden (Ore.-2)

May 3, 2017 – Pruitt Meets with U.S. Rep. Richard Hudson (N.C.-8)

May 3, 2017 – State of Texas Receives EPA Grant of \$8.3M for Water Quality and Environmental Programs (Region 6)

- The funds will go toward TCEQ programs to prevent, reduce and eliminate water pollution by setting quality standards, monitoring water quality, granting permits, and assuring compliance with regulations.
- The funds will also help administer TCEQ’s environmental management programs, which monitor, abate and control hazardous waste, solid waste, air pollution, and pesticides.

May 3, 2017 – Pruitt Meets with U.S. Rep. Mike Conaway (Texas-11)

May 4, 2017 – EPA Honors Award-Winning Asthma Programs

May 4, 2017 – Construction Begins on Grasse River Cleanup Facility in Massena, NY (Region 2)

- \$243 million cleanup of the Grasse River Superfund Site.
- When constructed, the multipurpose facility will be used as a staging area to support dredging and capping operations. The U.S. Environmental Protection Agency will hold public meetings on May 9 and 10 to update the community on work at the cleanup support facility.

May 4, 2017 – EPA Awards Pueblo de Cochiti \$40K to Protect the Environment (Region 6)

May 5, 2017 – EPA awarded \$100,323 to the Oklahoma Corporation Commission (OCC) to protect groundwater from underground injection or disposal wells. (Region 6)

May 9, 2017 – EPA and U.S. Army Solicit State Input on Redefining “Waters of the U.S.”

- EPA and U.S. Army sent a letter to governors soliciting input from states on a new definition of protected waters that is in-line with a Supreme Court Justice Antonin Scalia’s opinion in the 2006 Rapanos v. United States case
 - Scalia’s definition explains that federal oversight should extend to “relatively permanent” waters and wetlands with a “continuous surface connection” to large rivers and streams.
- The Clean Water Act asserts federal control over “navigable waters” without providing clarity or details about the law’s scope. President Donald Trump signed an executive order on February 28, 2017 to direct federal agencies to roll back and replace the Obama Administration’s Clean Water Rule – also known as the “Waters of the U.S.” or WOTUS – to ensure that the nation’s navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution.
- To meet the objectives of the executive order, federal agencies are following a two-step process that will provide as much certainty as possible, as quickly as possible, to the regulated community and the public during the development of the replacement rule.
 - The first step is to revise the Code of Federal Regulations to re-codify the definition of “Waters of the United States” which currently governs administration of the Clean Water Act, in light of a decision by the U.S. Court of Appeals for the Sixth Circuit staying a definition of “Waters of the United States” promulgated by the agencies in 2015.
 - This action will simply make the text of the Code of Federal Regulations reflect the definition currently in effect under the Sixth Circuit stay.
 - This action, when final, will not change current practice with respect to the how the definition applies, which is consistent with Supreme Court decisions, agency guidance documents, and longstanding practice.

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- The second step will be a public notice-and-comment rulemaking involving a substantive reevaluation and revision of the definition of “Waters of the U.S.” in accordance with the executive order.
 - The letter sent to governors today is seeking input on the second step of the process.

May 9, 2017 – EPA signed a proposed rulemaking to Approve North Dakota’s Carbon Sequestration Wells Application

- Class VI injection wells are used for long-term storage of carbon dioxide captured from industrial and energy related sources.
- This action reinforces Administrator Pruitt’s commitment to cooperative federalism, and will help advance carbon capture and sequestration (CCS) technologies.
- EPA is proposing to determine that North Dakota is capable of enforcing its Class VI program in a manner consistent with the Safe Drinking Water Act (SDWA) and all applicable regulations to protect underground sources of drinking water.
- If EPA ultimately approves the state’s program, the North Dakota Industrial Commission will have primary enforcement responsibility. EPA will continue to administer the UIC Program for wells on Indian lands per the SDWA.

May 9, 2017 – EPA Awards Oklahoma \$855,000 to Protect Water Quality (Region 6)

- EPA’s grant will help Oklahoma fund NPS management projects such as controlling animal wastes, sediment, pesticides, and fertilizers; watershed planning and monitoring; and education and outreach programs.

May 10, 2017 – Pruitt Announces New Directive to Prioritize Superfund Cleanups

- Scott Pruitt is prioritizing Superfund cleanup and streamlining the approval process for sites with remedies estimated to cost \$50 million or more.
- The revision to EPA’s delegation of authority will ensure decision making comes straight from the Administrator. EPA’s Superfund program is responsible for the cleanup some of the nation’s most contaminated areas.
- The delegation of authority memo issued on May 9, 2017

May 10, 2017 – Pruitt Meets with Florida Governor Rick Scott

May 11, 2017 – Hazardous waste cleanup begins at the Gray Container facility in Cleveland (Region 5)

May 11, 2017 – EPA Extends Timeline for Pesticide Applicators Rule

- 12-month extension for implementation of the revised final Certification and Training of Pesticide Applicators (C&T) rule.
- EPA received feedback from states and stakeholders that more time and resources are needed to prepare for compliance with the rule.
- The extended timeline will enable EPA to work with states and provide adequate compliance and training resources.

May 12, 2017 – EPA started remedial investigation at Eldorado Chemical Company Superfund (Region 6)

- The first phase of work will include ground water sampling and geophysical evaluation of monitoring and water wells.
- The Texas Commission on Environmental Quality referred the site to the EPA Superfund program for cleanup. The EPA remedial investigation started in late April with plans to complete the work by the end of this summer.
- Subsequent activities will include defining the remaining contaminant sources on the property using soil, soil gas and ground water sampling.
- The Remedial Investigation/Feasibility study is anticipated to take about three years to complete and will result in a proposed plan for cleanup. The public will have an opportunity to review the plan and make comments.

May 12, 2017 – EPA awarded \$217,660 to the New Mexico Environment Department to support the state’s water pollution control program (Region 6)

May 15, 2017 – EPA awarded \$1,031,756 to the New Mexico Environment Department (NMED) for their air pollution prevention and abatement program (Region 6)

May 15, 2017 – EPA awards \$2M to Texas CEQ for water pollution control (Region 6)

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May 16, 2017 – EPA Awards \$2.7M to 14 organizations through the Agency’s Environmental Workforce Development and Job Training (EWDJT) Program

- The organizations will help residents learn the skills needed to secure employment in the environmental field.

May 17, 2017 – EPA Awards Joshua, Texas a one-time \$675,083 Special Appropriation Act Program grant for drainage improvements for their growing city

- Located on the Chisholm Trail Parkway, the City of Joshua is minutes from downtown Fort Worth. Joshua is home to about 7,000 residents, and growing. Development is picking up and the City is preparing for future growth.
- The EPA grant helps fund the Village Creek Mountain Valley Drainage project to improve the City’s water infrastructure. It provides infrastructure support in rebuilding roads, drainage channels, and protection against erosion to help stabilize the banks along Village Creek as it takes water throughout the City of Joshua.
- It allows the City to prepare for development and growth and it provides cleaner, safer water for communities downstream.

May 17, 2017 – EPA Awards Texas CEQ \$1.6M to Monitor Air Quality (Region 6)

May 17, 2017 – Trump signs Consolidated Appropriations Act of 2017

- EPA’s WIFIA Program receives an additional \$8M for credit subsidy
- This additional funding, combined with the \$17 million appropriated for credit subsidy in December 2016, will allow the WIFIA program to lend approximately \$1.5 billion for water infrastructure projects, a key component of the President’s infrastructure agenda.
- In response to the Notice of Funding Availability issued on January 10, 2017, EPA received 43 letters of interest for WIFIA loans from public and private entities with a collective request of \$6 billion in WIFIA loans.
 - These letters demonstrate the high need to invest in water infrastructure improvements in communities across the nation and the value that WIFIA financing can offer.
- Combined with other sources, such as EPA’s State Revolving Fund (SRF) loans, private equity, and municipal bonds, these projects’ cost could address over \$12 billion in infrastructure needs.
 - Entities are seeking financing for a wide array of water and wastewater projects, including repair, rehabilitation, and replacement of aging treatment plants and pipe systems and construction of new infrastructure for desalination, water recycling, and drought mitigation.
- EPA is currently evaluating projects eligibility, credit worthiness, engineering feasibility, and alignment with WIFIA’s statutory and regulatory criteria. Through this competitive process, EPA will select projects that it intends to fund and invite them to continue to the application process this summer.

May 18, 2017 – EPA Partners with Quapaw Tribe of Oklahoma to Continue Cleanup at Tar Creek superfund site

- EPA awarded \$4,896,088 in financial assistance to the Quapaw Tribe of Oklahoma. The tribe will use the funds to continue remediating contaminated soils from tribal lands.
- The Quapaw independently developed construction contracting capabilities in the development of schools and hotels which enabled them to have competitive expertise.
 - On October 1, 2012, EPA and the Quapaw Tribe signed a Cooperative Agreement to perform remedial action at the Tar Creek Superfund site, making the tribe the first to lead and manage cleanup of a federal superfund site.
 - The remedial action involved the excavation, hauling and disposal of approximately 107,000 tons of contaminated material.
- The Tar Creek Superfund site is a former lead and zinc mining area located in the northern portion of Ottawa County, Oklahoma.
 - The site is part of the Tri-State Mining District located at the junction of Oklahoma, Kansas, and Missouri. The site occupies approximately 40 square miles consisting of Ottawa County, Oklahoma, portion of the Picher Field mining region and any area where a hazardous substance from mining or milling in Ottawa County has been stored or disposed.

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- The site is bounded by the State of Kansas to the north. The major communities include Cardin, Commerce, North Miami, Picher, and Quapaw.

May 18, 2017 – EPA announced today that the Albemarle-Pamlico National Estuary Partnership (APNEP) will receive approximately \$343,883 in the form of a federal grant appropriated by Congress

- To identify, conserve, and protect the significant resources within its 30,000 square mile region of North Carolina and Virginia.

May 18, 2017 – EPA Awarded \$213,511 to New Mexico Environment Dept. for their hazardous waste programs (Region 6)

- The grant provides funding under the Resource Conservation and Recovery Act (RCRA), which regulates solid and hazardous waste.
- The money will support NMED's RCRA program activities, including enforcement, hazardous waste inspections of facilities, corrective action, granting permits, state authorization, and program management.
- RCRA is the federal law that establishes the framework for proper management of solid and hazardous waste.
- RCRA regulations protect communities by ensuring safe management and cleanup of solid and hazardous waste and encouraging reduction of pollution sources and beneficial reuse of formerly contaminated properties.

May 19, 2017 – Pruitt Meets with U.S. Rep. Pete Olsen (Texas-22)

May 22, 2017 – Pruitt Meets with Congressional Coal Caucus

May 22, 2017 – EPA has approved a Massachusetts Army National Guard request to resume military training at Joint Base Cape Cod with oversight by the Massachusetts Environmental Management commission (Region 1)

May 22, 2017 – EPA awarded \$2,652,592 to the North Carolina Department of Environmental Quality (NCDEQ) to help protect human health and the environment

May 22, 2017 – EPA Announces Superfund Taskforce

- Pruitt announced the creation of a Superfund task force to provide recommendations within 30 days on how the EPA can streamline and improve the Superfund program.
- This includes: restructuring and expediting the cleanup process; reducing the burden on cooperating parties; incentivizing parties to remediate sites; encouraging private investment in cleanups and sites; and, promoting the revitalization of properties across the country.

May 23, 2017 – EPA Budget Returns Focus to Core Statutory Mission

- Infrastructure
 - EPA's support for water infrastructure will be provided under the State Revolving Funds (SRFs) and Water Infrastructure Finance and Innovation Act (WIFIA) program. The FY 2018 budget includes \$2.3 billion for the SRFs and \$20 million for the WIFIA program. The WIFIA requires a small appropriation compared to its potential loan volume, demonstrating respect for the American taxpayer. Under WIFIA, EPA could potentially provide approximately \$1 billion in credit assistance, which would spur an estimated \$2 billion in total infrastructure investment.
 - In FY 2018, the Superfund Remedial program provides \$342 million to support states, local communities and tribes in their efforts to assess and cleanup many of the worst contaminated sites in the United States and return them to productive use. EPA will maximize appropriated dollars by reducing administrative costs, identifying efficiencies, and prioritizing the cleanup of sites where funds are available from existing settlements with responsible parties.
 - In FY 2018, EPA is investing over \$118 million in support for Brownfields to help communities oversee, assess, safely cleanup and redevelop brownfield properties. The cleanup and reuse of contaminated lands often can play a role in economically revitalizing a community.
- Improving Air Quality
 - EPA's FY 2018 budget of \$448 million provides funding to better manage and support air quality with stakeholders through common sense standards, guidelines, and grant assistance. The budget focuses on air quality efforts and on making progress toward increased attainment. Most notably, \$100 million is

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allotted to perform key activities in support of the National Ambient Air Quality Standards (NAAQS). It discontinues funding of the Clean Power Plan, climate change research, and partnership programs. \$139 million in program eliminations and \$95 million in major programmatic changes will reorient the agency efforts in addressing air quality.

- **Clean and Safe Water**
 - EPA is requesting \$83.7 million in drinking water programs to continue to partner with states, drinking water utilities, and other stakeholders to identify and address current and potential sources of drinking water contamination. These efforts are integral to the sustainable infrastructure efforts because source water protection can reduce the need for additional drinking water treatment and associated costs.
 - The FY 2018 budget includes \$193 million to support work in surface water protection and wetlands programs. EPA will continue to provide scientific water quality criteria information, review and approve state water quality standards, and review and approve state lists of impaired waters. In FY 2018, the agency will continue to work with states and other partners on Total Maximum Daily Loads (TMDLs) as required by the Clean Water Act, as well as on other waterbody restoration plans for listed impaired waterbodies. EPA also will continue to implement and support core water quality programs that control point-source discharges through permitting and pre-treatment programs. Over \$651 million in program eliminations, including Geographic Programs and non-point source grants, and \$115 million in major programmatic changes will focus the agency's water programs on addressing core statutory requirements and national priorities. Responsibility for funding local environmental efforts is returned to State and local entities.
- **Chemical Safety**
 - EPA's chemical safety programs are integral to maintaining environmental and human health. In FY 2018, EPA requests a total of \$296 million to strengthen the capability of EPA, other regulators, and the public to assess chemical hazards and potential exposures, identify potential risks to human health and the environment and take appropriate risk management action.
 - In FY 2018, increased resources will support the agency's significant continuing and new responsibilities for ensuring that new and existing chemicals are evaluated in a timely manner. EPA will work aggressively to complete additional chemical risk assessments from the Toxic Substances Control Act (TSCA) Work Plan list of existing chemicals and meet its requirement to review all current pesticide registrations by 2022. The agency also is implementing fee-based funding as is envisioned in the statute. The agency will continue efforts to reduce risk and ensure that safety and compliance, including on-going pesticides licensing efforts. Program eliminations totaling nearly \$53 million combined with nearly \$60 million in other major program changes, including research programs, will focus federal resources on highest national priorities and core statutory requirements.
- **Supporting Tribal Partners**
- **Reducing and Eliminating Programs**

May 23, 2017 – EPA Stays Landfill Methane Rules

- 90-day administrative stay for the August 2016 New Source Performance Standards and Emissions Guidelines for municipal solid waste landfills.
- In a May 5th letter, EPA notified industry petitioners that the agency was granting their reconsideration request. This stay will allow EPA to reconsider certain aspects of the new source standards and emission guidelines for existing landfills.
- Consistent with President Trump's Energy Independence Executive Order, Energy Independence Executive Order, EPA will continue to review these actions to ensure that they protect the environment and enable a growing economy.
- In August 2016, EPA issued updated guidelines for existing municipal solid waste landfills and standards for newly built, modified or reconstructed landfills.

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- Municipal solid waste landfills receive non-hazardous waste from homes, businesses and institutions.
- The updated rules require landfills to install and operate landfill gas collection systems, monitor emissions, as well as other provisions.
- EPA is reconsidering certain aspects of these standards, including the surface emissions monitoring option known as tier 4.
- To allow time for EPA to review these aspects, which are central to the outcome of the rule, both rules are stayed.
- Sources do not need to comply with any of the requirements while the 90-day stay is in effect. EPA estimates that implementing these rules would cost businesses more than \$100 million per year to install and operate gas collection and control systems.

May 23, 2017 – EPA begins cleanup of hazardous wastes at Crest Rubber Company’s former factory and warehouse in Alliance, Ohio (Region 5)

May 25, 2017 – EPA Postpones Steam Electric Power Plant Effluent Guidelines Rule

- Pruitt signed a proposed rule to postpone compliance dates for the effluent limitations guidelines and standards for steam electric power plants (ELG Rule), which was published in November 2015.
- EPA proposes to postpone the compliance dates for the more stringent best available technology economically achievable (“BAT”) requirements in the 2015 rule for each of the following wastestreams: fly ash transport water, bottom ash transport water, flue gas desulfurization (“FGD”) wastewater, flue gas mercury control wastewater, and gasification wastewater.
- Last month EPA determined that two administrative petitions asking the agency to reconsider the 2015 ELG Rule raised issues sufficient to warrant reconsideration of the rule.

May 30, 2017 – EPA Awards \$1.15M to SC to protect water quality (Region 4)

May 31, 2017 – EPA Announces \$56M in funding to 172 communities nationwide for new brownfields assessment and cleanup funding in 2017

May 31, 2017 – EPA Enhances Communication with East Chicago Residents

- EPA is taking the following steps to enhance communication with East Chicago residents:
- Provide a dedicated, experienced community involvement coordinator as a direct point of contact for all residents with questions and concerns;
- Publicize the hotline number (219-801-2199), available to residents during business hours;
- Host monthly community meetings to provide updates and answer questions from residents;
- Maintain an EPA presence at the Carrie Gosch Elementary School so residents can easily stop in and speak to EPA employees;
- Track all resident inquiries in a database to ensure responses are provided in a timely manner;
- Continue to meet regularly with local, state and federal partners to keep officials apprised of EPA’s work and data collection in the community; and
- Regularly update the USS Lead Superfund website and add frequently asked questions.

May 31, 2017 – EPA Stays Oil and Gas Standards

- Using its Clean Air Act authority, the agency is issuing a 90-day stay of the fugitive emissions, pneumatic pumps, and professional engineer certification requirements from the 2016 rule.
- Sources do not need to comply with these requirements while the 90-day stay is in effect. EPA’s action is in line with President Trump’s Energy Independence Executive Order, which directed the agency to review the oil and gas rules.
- In June 2016, EPA issued updated standards for new, reconstructed and modified oil and gas sources. Since issuing the final rules last year, EPA has received several petitions to reconsider aspects of the New Source Performance Standards.

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- In an April 18, 2017 letter to petitioners, the agency announced its intent to reconsider certain aspects of the rule, including the fugitive emissions requirements. This action also grants reconsideration and stays for 90 days the pneumatic pump and professional engineer certification requirements in the rule.

JUNE 2017

June 2, 2017 – \$651,709 to Arkansas DEQ for water quality and ground water programs (Region 6)

June 2, 2017 – EPA Approves Redesignation of Atlanta Area to Attainment for the 2008 8-Hour Ozone Standard (Region 4)

June 5, 2017 – EPA on Path to Clear Backlog of Chemicals Awaiting EPA Approval

- EPA has split by half the backlog of new chemical submissions being reviewed under the Toxic Substances Control Act, bringing the number of cases down from roughly 300 to 150
- The reduction in the backlog is the result of prioritizing and implementing process efficiencies. For instance, grouping the review of similar chemicals speeds the review.
- EPA will continue to work with all stakeholders to identify additional changes to improve the quality, efficiency and transparency of the new chemical review program.
- EPA reviews about 1,000 new chemicals per year, and must complete the review of each submission within a specified timeframe, resulting in about 300 chemicals under review at any given time.
- By January 2017, the number under review had grown to about 600. EPA is working hard to get the number of submissions under review back to the baseline.

June 5, 2017 – EPA to Recognize Five Communities in Georgia for Receiving \$1.4 Million in Funding for Brownfield Site and Community Revitalization (Region 4)

June 6, 2017 – EPA awards over \$866,000 to American Samoa (Region 9)

June 6, 2017 – EPA Extends Deadlines for 2015 Ozone NAAQS Area Designations

- Pruitt sent a letter to governors to inform them of EPA's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015.
- EPA extended the deadline for promulgating initial area designations, by one year, for the 2015 ozone NAAQS.
- The National Ambient Air Quality Standard (NAAQS) for ground-level ozone is an outdoor air regulation under the Clean Air Act.
- As part of the process to determine what areas of the country are able to meet the current air quality standards, states are currently submitting their proposals for area designations under the 70 parts per billion (ppb) standard, which was lowered from 75 ppb in 2015.
- Areas designated as being in "nonattainment" of the standard face consequences, including: increased regulatory burdens, restrictions on infrastructure investment, and increased costs to businesses.
- EPA is giving states more time to develop air quality plans and EPA is looking at providing greater flexibility to states as they develop their plans. And, pursuant to the language in the recently-enacted FY2017 Omnibus funding bill, Administrator Pruitt is establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.
- Additionally, the Agency is taking time to better understand some lingering, complicated issues so that air attainment decisions can be based on the latest and greatest information. This additional time will also provide the agency time to review the 2015 ozone NAAQS, prior to taking this initial implementation step.
- Although the new ozone standard was set on October 1, 2015, there remains a host of complex issues that could undermine associated compliance efforts by states and localities. The Agency is evaluating these issues, primarily focused on:
 - Fully understanding the role of background ozone levels;
 - Appropriately accounting for international transport,
 - And, timely consideration of exceptional events demonstrations.

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- Since 1980, total emissions of the six principal air pollutants have dropped by 63 percent and ozone levels have declined by 33 percent. Despite the continued improvement of air quality, costs associated with compliance of the ozone NAAQS have significantly increased.

June 6, 2017 – EPA Announces over 40 letters of interest from perspective WIFIA borrowers to improve Water Infrastructure

June 7, 2017 – EPA Awards \$300,000 to clean up lead in Humboldt County, California (Region 9)

June 7, 2017 – EPA begins cleanup at former electroplating facility in Madison Heights, Mich. (Region 5)

June 7, 2017 – Communities Nationwide Receive \$5.35 Million to Redevelop Contaminated Brownfield Sites

June 8, 2017 – EPA Announces the winners of the 2016 President’s Environmental Youth Award

June 9, 2017 – EPA Honors Winners of the 2017 Green Chemistry Challenge Awards

June 11, 2017 – Pruitt Attends G7 Environmental Ministerial Meeting

June 12, 2017 – EPA Extends RMP Effective Date to 2019

- Pruitt signed a final rule to further delay the effective date of EPA’s Risk Management Program (RMP) Amendments an additional 20 months to allow the agency to conduct a reconsideration proceeding and to consider other issues that may benefit from additional comment.
- The new effective date of the rule is February 19, 2019.

June 12, 2017 – EPA to conduct Soil, Water Sampling in Minden, WV (Region 3)

June 13, 2018 – EPA, City of Houston Announce New Solar-Powered Air Monitoring Station (Region 6)

June 13, 2017 – EPA Proposes Longer Stay of 2016 NSPS for Oil & Gas Industry

- EPA is taking steps to ensure portions of the agency’s 2016 New Source Performance Standards for the oil and natural gas industry do not take effect while the agency works through the reconsideration process.
- The agency is proposing a two-year stay of the fugitive emissions, pneumatic pump and professional engineer certification requirements in the rule while the agency reconsiders issues associated with these requirements. Under the proposal, sources would not need to comply with these requirements while the stay is in effect. Since issuing the final rule, EPA has received several petitions to reconsider certain aspects of the rule.
- Earlier this month, EPA used its Clean Air Act authority to issue a 90-day administrative stay of these requirements. To ensure there is no gap in the stay between the 90-day stay and the proposed two-year stay if finalized, EPA also is proposing a three-month stay.

June 13, 2017 – EPA Awards Cherokee Nation \$75,000 to Protect the Environment (Region 6)

June 13, 2017 – EPA Proposes Water Line to Connect Drinking Water Supply as Part of Mansfield Trail Superfund Cleanup (Region 2)

June 15, 2017 – Miss. DEQ Awarded \$2.15M EPA Grants for Environmental Programs (Region 4)

June 15, 2017 – EPA, N.C. DEQ and Multistate Trust to Hold Public Availability Sessions and Public Meeting about Kerr-McGee Superfund Site in Navassa, N.C. (Region 4)

June 15, 2017 – EPA Provides \$2.5M to Illinois to resume SE Rockford Superfund Cleanup (Region 5)

June 15, 2017 – EPA registered four products containing a new and innovative plant-incorporated protectant (PIP) called SMARTSTAX PRO that will help U.S. farmers control corn rootworm

June 15, 2017 – EPA provides \$6.8 million to Chicago Park District for DuSable Park cleanup (Region 5)

June 15, 2017 – EPA, Houston Health Department and the John P. McGovern Museum Introduce New Village Green Station (Region 6)

June 15, 2017 – EPA Proposes Plan for Second Phase of Cleanup of the Peninsula Boulevard Superfund Site in Hewlett, Nassau County, N.Y. (Region 2)

June 19, 2017 – EPA to conduct field work at Colonial Creosote superfund site in Washington Parish, La. (Region 6)

June 19, 2017 – EPA Proposes Cleanup of Hazardous Waste Superfund Site in Kearny, N.J. (Region 2)

June 19, 2017 – \$91,000 EPA Grant Awarded to Wisconsin Wildlife Federation’s Green Schools Network (Region 5)

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June 20, 2017 – EPA Provides NY with \$5.7M to Improve Water Quality (Region 2)

June 20, 2017 – EPA Announces the release of the Interim Record of Decision for the Terry Creek Dredge Spoil Areas/Hercules Outfall Site (Region 4)

June 21, 2017 – EPA Awards More than \$320,000 to California, Arizona Tribes to Reduce Diesel Emissions (Region 9)

June 22, 2017 – EPA Selects 10 Communities to participate in Healthy Places for Healthy People planning assistance Program

- Through Healthy Places for Healthy People, a team of experts will help community members and health care facility partners develop strategies and an action plan to address persistent needs, such as better health, improved public safety, basic infrastructure, and jobs. Partner organizations include community health centers (including Federally Qualified Health Centers), nonprofit hospitals, and other health care facilities.

June 22, 2017 – EPA Marks Chemical Safety Milestone on 1st Anniversary of Lautenberg Chemical Safety Act

- On the one-year anniversary of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, Administrator Scott Pruitt announced that EPA has met its first-year statutory responsibilities under the law.
 - This includes issuing three new rules, providing a guidance document for external parties, and releasing the scoping documents for the first 10 risk evaluations that will be conducted.
- Finalized a rule to establish EPA's process for evaluating high priority chemicals to determine whether or not they present an unreasonable risk to health or the environment. In response to public comments, this final rule clearly defines important scientific terms to ensure transparency and confidence in the risk evaluation process while retaining flexibility to allow for new scientific approaches to be incorporated as they are developed. Additionally, the final rule clarifies EPA's authority to determine what uses of a chemical are appropriate for risk evaluation, ensuring that the Agency's resources are focused on those uses that may pose the greatest risk.
- Finalized a rule to require industry reporting of chemicals manufactured or processed in the U.S. over the past 10 years. This reporting will be used to identify which chemical substances on the TSCA Inventory are active in U.S. commerce and will help inform the chemicals EPA prioritizes for risk evaluation. In response to public comments, EPA streamlined the reporting requirements for manufacturers and processors in the final rule to help reduce regulatory burden.
- Released scope documents for the initial ten chemicals for risk evaluation under the amended law. These documents identify what uses of the chemicals will be evaluated and how the evaluation will be conducted. Released guidance for external parties interested in submitting draft risk evaluations to the EPA for consideration.

June 22, 2017 – EPA Provides Puerto Rican Environmental Programs with \$1.1M to Improve Water Quality (Region 2)

June 22, 2017 – EPA Proposes Further Cleanup of Lead-Contaminated Residential Properties in West Deptford, N.J. (Region 2)

- In November 2015, during sewer repair excavation work at a residential property on Birchly Court, buried battery casings were discovered. In March 2016, the New Jersey Department of Environmental Protection referred the discovery to EPA for further investigation. EPA collected soil samples from the yards of the affected properties and confirmed lead contamination in the soil at levels above health based standards. Former operations at the Matteo site included crushing and recycling batteries, scrap metal recycling, and landfilling.
- Under the EPA's proposed cleanup plan, soil in yards contaminated at levels that pose a potential risk to people's health will be removed and disposed of properly at a facility licensed to handle the waste. Excavated areas will be covered with clean soil.

June 23, 2017 – EPA Awards Wyoming DEQ \$850k to Protect Water Quality (Region 8)

June 26, 2017 – EPA Awards Arkansas DEQ \$409,936 to Protect Air Quality (Region 6)

June 26, 2017 – EPA Publishes FR Notice Seeking SAB and CASAC Nominations

June 26, 2017 – EPA Resumes Cleanup at Jacobsville Superfund Site in Evansville, Indiana (Region 5)

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- Workers will remove arsenic- and lead-contaminated dirt in the yards and gardens of about 300 properties. Since cleanup began in 2007, contaminated soil has been removed from than 2,000 residential properties and recreational areas. EPA estimates that another 2,000 properties require cleanup.
- EPA added this site to Superfund's National Priorities List in 2004.

June 26, 2017 – Soil cleanup to begin at Velsicol Superfund site in St. Louis, Michigan (Region 5)

- The site received \$9.7 million in funding.
- EPA officials plan to begin thermal treatment at the site. During this process, special equipment will heat the soil, capture contaminants and treat them on-site.
 - This phase of work is expected to take 18 months. Additional environmental actions at the plant site will follow in the future.
- Velsicol produced fire retardant polybrominated biphenyl, or PBB, and the pesticide DDT from 1936 until 1978 when the plant shut down. The chemicals polluted the groundwater, soil and Pine River that bordered the plant. In the 1980s, the factory was demolished, but elevated levels of benzene and 1,2 dichloroethane remain in the groundwater beneath the site.

June 27, 2017 – EPA Awards \$91,000 to Groundwork San Diego to Educate Students and Community on Water Conservation (Region 9)

June 27, 2017 – EPA, U.S. Army Move to Rescind 2015 WOTUS rule

- EPA/Army corps propose a rule to rescind the Clean Water Rule and re-codify the regulatory text that existed prior to 2015 defining "waters of the United States" or WOTUS.
- This action would, when finalized, provide certainty in the interim, pending a second rulemaking in which the agencies will engage in a substantive re-evaluation of the definition of "waters of the United States."
- The proposed rule would be implemented in accordance with Supreme Court decisions, agency guidance, and longstanding practice.

June 28, 2017 – EPA provides Texas with \$585,730 to support Pesticides programs (Region 6)

June 28, 2017 – EPA and Colorado release Proposed Plans for Eagle Mine Superfund cleanup (Region 8)

- The Eagle Mine Superfund Site is located in Eagle County, Colorado.
- The site is defined as the area impacted by past mining activity along and including the Eagle River between the towns of Red Cliff and Minturn.
- Mining activities at the Eagle Mine began in 1879 and continued until 1984. EPA listed the site on the National Priorities List (NPL), commonly known as the list of Superfund Sites, in 1986 because of the mine metals discharge, uncontrolled mine waste piles and the close proximity of the population to the mine and associated features. To better manage the site, EPA divided it into operable units (OUs).
- OU1 focuses on protecting surface water by reducing metals loading from the site to the Eagle River. OU2 focuses on potential human health risks from contaminated soils in the abandoned company town of Gilman. OU3 focuses on soil remediation necessary to protect human health due to planned future development by the current landowner.

June 28, 2017 – EPA awarded a \$1,094,000 grant to the Mississippi DEQ to assist the state in cleaning up petroleum contamination from leaking underground storage tanks (Region 4)

June 29, 2017 – EPA Provides Florida DEP with \$1.38M (Region 4)

June 29, 2017 – EPA Awards \$513K in DERA Funding to Alaska and Washington Tribes (Region 10)

- The grants fund projects with Chalkyitsik Village Council in northeast Alaska and the Lummi Tribe of the Lummi Reservation in Washington.

June 29, 2017 – Annual Report Card Shows Water Quality Improvements in Parts of the Mystic River Watershed (Region 1)

June 30, 2017 – EPA recently awarded \$24,000 to the Pueblo of Pojoaque to support radon exposure prevention and outreach (Region 6)

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JULY 2017**July 3, 2017 – EPA Takes Action to Protect Water Quality in Puerto Rico (Region 2)**

- An agreement with Marina PDR Operations, LLC, resolved its alleged failure to apply for and obtain coverage under the 2008 NPDES Multi-Sector General Permit for its discharges of stormwater runoff from the Marina Puerto Del Rey into the Caribbean Sea.
- The company agreed to pay a civil penalty of \$77,500.

July 5, 2017 – Local, Tribal Emergency Planning and Response Organizations Schedule Conference for July 20-22 in Overland Park, Kan. (Region 7)**July 5, 2017 – EPA Proposes RFS Volumes Reflective of Market Realities for 2018**

- Non-advanced or “conventional” renewable fuel volumes are maintained at the 15-billion gallon target set by Congress.
- The biomass-based diesel standard for 2019 would be maintained at the 2018 levels of 2.1 billion gallons.
- EPA is beginning technical analysis that will inform a future rule to reset the statutory volumes for cellulosic, advanced, and total biofuels. The law requires this reset when certain conditions are met.

July 5, 2017 – EPA Awards Nearly \$77,000 to the Student Conservation Association for Environmental Education Projects in Houston Area (Region 6)**July 6, 2017 – EPA grant of nearly \$175,000 to state of Oklahoma will support pesticide safety**

- These funds are part of a cooperative agreement between EPA and the state of Oklahoma to support the state in continuing to administer an effective pesticide regulatory and enforcement program.
- The funds will go toward enforcement, applicator certification, worker protection standards, pesticides in water, and endangered species programs.

July 6, 2017 – Administrator Pruitt Hosts Back-to-Basics Events in Alabama and Georgia**July 7, 2017 – EPA Awards \$91,000 Environmental Education Grant to Alvernia University in Reading, Pennsylvania (Region 3)****July 10, 2017 – EPA Awards \$91,000 Environmental Education Grant to Woonasquatucket River Watershed Council in Providence, R.I. (Region 1)****July 10, 2017 – U.S. EPA to hold July 11 open house for the Sandoval Zinc Superfund site in Sandoval, Illinois**

- The former zinc smelting facility is located off Highway 51 in Sandoval.
- In 2011, the government added the site to the National Priorities List, a list of the worst contaminated sites in the country.
- In June, U.S. EPA conducted additional soil sampling in Sandoval in response to new Agency guidance on lead pollution.

July 11, 2017 – EPA and Texas team up to eliminate water pollution (Region 6)

- The funds will go toward TCEQ programs to prevent, reduce and eliminate water pollution by setting quality standards, monitoring water quality, granting permits, and assuring compliance with regulations.
- The funds will also help administer TCEQ’s environmental management programs, which monitor, abate and control hazardous waste, solid waste, air pollution, and pesticides.

July 11, 2017 – EPA proposes to withdraw Clean Water Act restrictions for Pebble Mine in Alaska’s Bristol Bay watershed

- EPA opened a 90-day comment period on whether to withdraw the Proposed Determination.
- In 2014, Region 10 completed a multi-year effort to assess the Bristol Bay watershed, and then issued a Clean Water Act Section 404(c) Proposed Determination to restrict discharges of dredge or fill material into the watershed from mining the Pebble deposit.
- EPA agreed to initiate a process to propose to withdraw the Proposed Determination as part of a May 11, 2017 settlement agreement with the Pebble Limited Partnership, whose subsidiaries own the mineral claims to the Pebble deposit.
- The agreement provides Pebble additional time to apply for a Clean Water Act 404 permit from the U.S. Army Corps of Engineers before EPA moves any further with its Clean Water Act Section 404(c) review.

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- EPA is consulting on the proposed withdrawal with federally-recognized tribal governments of the Bristol Bay region and with Alaska Native Claims Settlement Act Regional and Village Corporations with lands in the Bristol Bay watershed.

July 11, 2017 – EPA Provides Brownfields Grants to Woonsocket and Providence, Rhode Island (Region 1)

- Rhode Island entities in Woonsocket received \$600,000 for cleanup of brownfield sites
- The City of Providence received \$200,000 for an Area Wide Planning grant.

July 12, 2017 – U.S. EPA honors five Bay Area federal facilities for going green (Region 9)

July 12, 2017 – EPA Recognizes Altoona's Van Zandt Veterans Medical Center For Federal Green Challenge Achievement (Region 12)

July 12, 2017 – EPA Recognizes Princeton Plasma Physics Laboratory for Saving Resources and Taxpayer Money (Region 2)

July 12, 2017 – EPA Recognizes NASA, DEA, GSA and VA for Improved Environmental Stewardship (Region 6)

July 12, 2017 – EPA Recognizes Department of Veterans Affairs in Minneapolis for Saving Resources and Taxpayer Money (Region 9)

July 12, 2017 – EPA Recognizes Veterans Affairs & U.S. Fish & Wildlife Service for Saving Resources and Taxpayer Money (Region 2)

July 12, 2017 – EPA Recognizes Federal Green Challenge Participants Saving Resources and Taxpayer Money

July 12, 2017 – EPA Recognizes U.S. Customs and Border Protection Detroit Office for Saving Resources and Taxpayer Money (Region 5)

July 12, 2017 – EPA Recognizes Argonne Lab for Saving Resources and Taxpayer Money

July 12, 2017 – EPA Recognizes Brookhaven National Laboratory & the General Services Administration for Saving Resources and Taxpayer Money

July 12, 2017 – Vorbeck Materials Corp. Resolves Hazardous Waste Violations At Jessup, Md. Facility, Donates Equipment to First Responders (Region 3)

- The company will pay a \$28,200 penalty, and donate more than \$46,000 in emergency response and communications equipment to a local fire department, to settle alleged violations of hazardous waste regulations at its facility in Jessup, Md.
- EPA cited Vorbeck for violating the Resource Conservation and Recovery Act (RCRA).

July 13, 2017 – Charles River Water Quality Earns a "B" Grade in 2016 (Region 1)

July 13, 2017 – Kentucky Business Leaders Visit EPA In Washington

July 13, 2017 – EPA requires Matheson Tri-Gas Kapolei to close illegal cesspools (Region 9)

- In May 2016, EPA inspected the Matheson Tri-Gas facility and found two cesspools in use.
- EPA regulations required closure of all existing cesspools by April 5, 2005.
- The company will pay a civil penalty of \$88,374 and spend \$50,000 on a supplemental environmental project to close an on-site small-capacity cesspool.
- Matheson expects to complete the closure of all three cesspools and convert to a septic system by the end of 2017.

July 13, 2017 – Jubilant Cadista Pharmaceuticals Settles Hazardous Waste Violations At Salisbury, Md. Facility

- As part of the agreement, Jubilant Cadista Pharmaceuticals Inc. will pay a \$35,000 penalty.

July 13, 2017 – U.S. EPA Requires Southern California Plastic Manufacturers to Protect L.A. River from Pollution

- In December 2015, EPA inspections at the two facilities found violations that likely resulted in plastic pellets, known as "nurdles," entering storm drains that discharge to the Tujunga Wash, which flows into the Los Angeles River.
 - Nurdles are plastic beads about 1/5 of an inch in diameter.
 - Nurdles are widely used in manufacturing and contribute to plastic debris in the nation's inland and coastal waters.
- Western States Packaging, located in Pacoima, Calif., uses nurdles as raw material to manufacture food-grade plastic bags.
 - EPA's inspectors found that the facility was not operating with the proper stormwater permit.
 - EPA observed spilled plastic pellets on paved surfaces throughout the facility without proper control measures in place.

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- Under this agreement, Western States Packaging, Inc. will pay a \$25,000 penalty and Direct Pack, Inc. will pay a \$42,900 penalty.
- Direct Pack, located in Sun Valley, Calif., uses nurdles to manufacture plastic packaging products.
 - EPA inspectors discovered the facility was discharging industrial wastewater without the proper permit.
 - The inspection also found that the facility did not use proper capture devices, such as pans or tarps in loading areas, and did not have necessary containment systems to trap plastic material and prevent releases to local waterways.
 - Additional deficiencies included improper storage of chemicals and industrial wastes.
 - The company failed to promptly repair or maintain equipment and did not accurately report monthly inspections.

July 13, 2017 – EPA announced a \$91,000 environmental education grant to The College of New Jersey (Region 2)

July 13, 2017 – EPA announces proposed early interim action cleanup plan for soils and indoor dust at Colorado Smelter site (Region 8)

- The 30-day public comment period started July 14, 2017, and went through August 14, 2017.

July 14, 2017 – New Hampshire Awarded \$936,308 EPA Grant for Environmental Programs (Region 1)

July 14, 2017 – Rhode Island Awarded \$852,735 EPA Grant for Environmental Programs (Region 1)

July 14, 2017 – EPA Cleanup Proposal for Superfund Site in Utuado, Puerto Rico Aims to Remove Harmful Chemicals from the Ground (Region 2)

- EPA is proposing a cleanup plan to address sources of chemical contamination at the Papelera Puertorriqueña Inc. Superfund site, a paper and plastic goods manufacturer.
- The EPA cleanup proposal calls for the installation of a system that removes harmful chemicals from soil by extracting them in vapor form using vacuum technology and also filtering the vapors through carbon filters to remove contaminants.
- To reduce contamination in the groundwater, the proposal calls for use of air sparging technology.
 - Air sparging injects air directly into the contaminated groundwater.
 - As the air bubbles rise, the chemical vapors are carried up through the soil and removed by an extraction system.
- In some areas of the site, the EPA may apply non-hazardous additives to the groundwater to assist in the breakdown of contaminants.
 - The specific types of additives to be used will be determined by the EPA as part of the design of the cleanup.
- The EPA estimates the cost of this cleanup will be about \$2.6 million.

July 17, 2017 – President Trump announced his intention to nominate Dr. Michael Dourson to be head of EPA's chemical and pesticides office.

- Dr. Dourson is a professor in the Risk Science Center at the University of Cincinnati, College of Medicine.
- He founded the nonprofit Toxicology Excellence for Risk Assessment.
- He worked at EPA, where he won four medals.
- Dr. Dourson served in multiple positions at the American Board of Toxicology, Society of Toxicology, Society for Risk Analysis, and Toxicology Education Foundation.
- He is a member on the editorial board of three toxicology journals.

July 18, 2017 – Free Workshop July 27 At Villanova Univ. To Help Small Businesses Get Tech Research Funds

July 18, 2017 – U.S. EPA Approves Limits on Mercury in California Waters

July 18, 2017 – EPA Administrator Pruitt Visits Utah to Kick-Off State Action Tour, Announce Decision to Revist Utah Regional Haze Plan

July 19, 2017 – EPA Selects Biddeford, Maine Project to Apply for a WIFIA Loan

- Maine Water Company has requested a loan of \$24.5 million.
- Loan would help the company construct a new 20 million gallons per day water treatment facility, replacing the existing facility built in 1884.
- The facility would serve 50,000 people.

July 19, 2017 – EPA Selects the City of Oak Ridge, Tennessee Project to Apply for a WIFIA Loan

- City of Oak Ridge will design and construct a new 16 MGD membrane treatment plant and associated assets.

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- Replaces the existing 80- year old conventional treatment plant, which is currently at capacity.

July 19, 2017 – EPA Selects Orange County Project to Apply for WIFIA Loan

- The project will expand the existing water recycling plant from 100 million gallons a day to 130 million gallons a day by using treated wastewater from the Orange County Sanitation District Plant #2.
- The project will add another 31,000 acre-feet of water supply each year, enough water to supply more than 75,000 households.

July 19, 2017 – St. Louis Metropolitan Sewer District Invited by EPA to Apply for \$43-Million WIFIA Loan

- Plans to construct a pump station at the downstream end of a sanitary sewage storage tunnel; replace approximately 15,900 feet of sanitary sewer; and slipline 1,700 feet of sanitary sewer and appurtenances.
- These projects would provide storage for excessive inflow and infiltration during wet weather events; provide dewatering from a major storage facility that will regulate sanitary flow into the River Des Peres foul water system; and allow for the removal of 24 constructed sanitary sewer overflow outfalls into the Deer Creek channel.
- These improvements would alleviate surcharging and basement backups, help to meet impending Total Maximum Daily Load (TMDL) requirements.

July 19, 2017 – EPA selects Indiana Finance Authority to apply for \$436M WIFIA loan

July 19, 2017 – EPA, DOJ reach agreement with Cleveland Heights to prevent sewage discharge to Lake Erie

- The settlement requires Cleveland Heights to take immediate steps to upgrade its sewer system.
- Other required steps include cleaning, inspections, enhanced monitoring and computer modeling as part of a comprehensive study to assess the sewer system's overall capacity.
- The city estimates this work will cost about \$12 million.
- By June 2021, the city must submit a master plan to eliminate sewer overflows to EPA for approval.

July 19, 2017 – Baltimore City One of 12 Selected by EPA To Apply For New WIFIA Loan

- Funds will be used to repair, rehabilitate, replace, and upgrade its wastewater collection and treatment, water treatment and distribution, and stormwater management systems.
- These projects would improve the sanitary sewer collection; ensure the reliability and performance of the pumping stations and Maryland's two largest wastewater treatment plants; improve the drinking water distribution system to address reliability and performance, which provides direct public health benefits; and meet Clean Water Act permit requirements and obligations through stormwater improvements.

July 19, 2017 – EPA Selects San Diego Project to Apply for Water Infrastructure Loan

- The City will use the funds to construct San Diego's multi-year Pure Water program
- The project will convey 30 million gallons of purified water per day to the Miramar Reservoir
- This is enough to supply one-third of the City's drinking water needs.
- The Pure Water program will use proven water purification technology to filter recycled water to produce potable drinking water.

July 19, 2017 – EPA Selects Morro Bay Project to Apply for Water Infrastructure Loan

- The project focuses on water recycling.
- The City will remove and replace its 63-year-old Morro Bay-Cayucos Wastewater Treatment Plant with a new water recycling facility.
- The new facility will recycle all the City's wastewater using advanced treatment technology to help supplement water supply and reduce reliance on imported water.

July 19, 2017 – King County qualifies for \$129 million WIFIA loan for Georgetown wet weather treatment station

- The project is estimated to cost a total of \$262 million and the EPA loan will help finance nearly half that -- \$129 million.
- The Treatment Station will collect and clean up to 70 million gallons per day of wastewater and storm water that would have spilled into the river during bad weather.
- This project will also help safeguard the Duwamish River Superfund Cleanup investment.

July 19, 2017 – EPA Administrator Pruitt Continues State Action Tour in Minnesota

- Governor Mark Dayton

July 19, 2017 – EPA Selects San Francisco Project to Apply for WIFIA Loan

- SFPUC's project focuses on wastewater treatment system updates.

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- The project will replace SFPUC's outdated 60-year old solids treatment facility with upgraded infrastructure that will produce higher-quality biosolids and maximize biogas utilization and energy recovery.
- The project will also capture and treat odors more effectively, reducing odor impact on the neighboring residences and businesses.

July 24, 2017 – EPA awards North Dakota Department of Health nearly \$3.9M to protect water quality

July 24, 2017 – EPA Administrator Pruitt Continues State Action Tour in South Carolina

- Senator Lindsey Graham
- Congressman Joe Wilson
- Attorney General Alan Wilson

July 25, 2017 – EPA Provides Brownfields Grants to Maine Communities

- \$2.7 million for assessment and cleanup of Brownfield sites will be provided to:
 - Androscoggin Valley Council of Governments
 - City of Bangor
 - Town of Berwick
 - Town of Hallowell
 - Maine Department of Environmental Protection
 - Our Katahdin of Millinocket
 - Eastern Maine Development Corp (EMDC)
 - Kennebec Valley Council of Governments (KVCOG)

July 25, 2017 – EPA awards South Dakota Department of the Environment and Natural Resources over \$2.5M grant to protect water quality

July 25, 2017 – EPA's Pruitt Visits "Local Foods, Local Places" Summit

July 25, 2017 – EPA Announces Superfund Task Force Recommendations

- Recommendations are organized into five goals:
 1. Expediting Cleanup and Remediation;
 2. Re-invigorating Responsible Party Cleanup and Reuse;
 3. Encouraging Private Investment;
 4. Promoting Redevelopment and Community Revitalization; and
 5. Engaging Partners and Stakeholders

July 26, 2017 – Corbin, KY Featured at National "Local Foods, Local Places" Summit

July 26, 2017 – Huntington, W.Va. Featured at National "Local Foods, Local Places" Summit

July 26, 2017 – EPA reaches agreement with Norton Sound Seafood Products over alleged wastewater discharge violations in Nome, AK

- During a 2016 inspection, EPA found many violations of the company's seafood processing discharge permit
- The agreement resolves the alleged violations and includes a \$51,050 penalty.

July 26, 2017 – Walterboro, SC Featured at National "Local Foods, Local Places" Summit

July 26, 2017 – Federal Partnership Launches Water Quality Challenge Piloting Low-Cost Nutrient Sensors for Local Decision-Making

- The Nutrient Sensor Action Challenge calls for demonstrations showing the effective use of low-cost sensors, innovative partnerships to pilot the sensors and data management, and demonstrations of how collected data and information can be part of state and local decision-making.

July 26, 2017 – Anticipated Heavy Rainfall Prompts EPA to Discharge Wastewater from the Mississippi Phosphates Corporation Site in Pascagoula, Miss.

July 26, 2017 – EPA Awards \$120,000 to Illinois for Project in Waukegan Harbor

July 26, 2017 – New EPA Tool Helps Communities Access More Than \$10 Billion in Water Infrastructure Financing

- EPA launched the Water Finance Clearinghouse, a web-based portal to help communities make informed financing decisions for their drinking water, wastewater, and stormwater infrastructure needs.

July 26, 2017 – U.S. EPA to hold Aug. 1 public meeting for the Adams Plating Superfund site in Lansing, Michigan

July 27, 2017 – EPA Proposes Plan to Remove Contamination at Superfund site in Gibbsboro, N.J.

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- Contaminated soil will be removed and properly disposed of at approved facilities that are licensed to handle the waste.
- In total, approximately 60,000 cubic yards of contaminated soil will be removed.
- The excavated areas will be backfilled with clean soil, replanted with vegetation, if appropriate, and restored.

July 27, 2017 – Entities in western Massachusetts received \$2.4 million for assessment and cleanup of seven Brownfields sites.

July 27, 2017 – U.S. EPA to hold July 31 open house for the Jacobsville Superfund site

July 27, 2017 – EPA and Oregon DEQ reach agreements with Eugene company for diesel spill near Halsey, OR

- The joint cleanup and enforcement action has culminated in two separate agreements with the Jerry Brown Company, Inc., a petroleum distribution company based in Eugene.
- The agreements resolve alleged violations stemming from the release of agricultural diesel fuel from the company's storage tank. The leak contaminated nearby soil and Spoon Creek.
- As a result of this joint action, nearly 3,000 cubic yards of diesel-soaked soil was removed for disposal and water quality near the site was monitored for just over a year.

July 28, 2017 – EPA awards Montana Department of Environmental Quality over \$2M grant to protect water quality

July 31, 2017 – Mississippi Phosphates Corporation Site Proposed to National Priorities List

- MPC is a former diammonium phosphate fertilizer plant that began operation in the 1950s
- The facility ceased operations in December 2014 leaving more than 700,000,000 gallons of low-pH, contaminated wastewater stored at the facility.
- Currently, EPA is overseeing wastewater treatment at a rate of approximately 2,000,000 gallons per day and a cost of approximately \$1,000,000 per month due to the high volume of wastewater generated that requires treatment.

July 31, 2017 – EPA proposes to add site in Midwest City, Okla., to National Priorities List to reduce environmental and public health risk

- The site was an inspection and repair facility for aircraft oxygen and fire extinguisher systems from 1990 to 2010.
- A 2003 Oklahoma Department of Environmental Quality (ODEQ) inspection of the operating facility revealed improper disposal of trichloroethylene (TCE) which are threatening surrounding area ground water.

July 31, 2017 – EPA Adds Former Custom Cleaners in Memphis, TN to National Priorities List to Clean Up Contamination

- The Former Custom Cleaners Site is a former dry cleaner which operated from about 1950 until the mid-1990s.
- Past operations have impacted subsurface soils and groundwater with the solvent perchloroethylene (PCE).

July 31, 2017 – EPA Proposes Newark, Delaware Site to Superfund's National Priorities List

- The site consists of groundwater contaminated with volatile organic compounds (VOCs) including tetrachloroethene (PCE) and trichloroethene (TCE).
- The City of Newark has reported low levels of the contaminants in the untreated groundwater from several of its public supply wells since 2000.

July 31, 2017 – EPA Adds Old HWY 275 and N. 288th Street Site in Valley, Neb., to National Priorities List

- A 2.5-mile groundwater plume is present along W. Reichmuth Road, and consists of volatile organic compounds (VOCs) and other contaminants.
- Between 2004 and 2006, EPA performed site work consisting of groundwater, soil, soil gas, and indoor air sampling.
- EPA installed whole-house carbon filtration systems at locations with private wells impacted by TCE.
- In 2015, EPA became involved at the site again, after sampling in 2012 found the Pines public water supply well to be impacted by TCE.
- EPA attempted to find the source area of that contamination; however, despite extensive sampling, no source area was found.

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July 31, 2017 – EPA Adds Post and Lumber Preserving Co. Inc. in Quincy, Fla. to National Priorities List to Clean Up Contamination

- The Post & Lumber site includes 18 acres of land.
- From about 1948 to the mid-1980's Post & Lumber treated wood poles, posts, and beams with pentachlorophenol, chromated zinc chloride (CZC), and chromated copper arsenate (CCA).
- On-site and off-site soils and wetland areas, and an unnamed tributary of Little River became contaminated from spills onto the ground, stormwater runoff, and wastewater releases.
- Groundwater beneath the Post & Lumber property is also contaminated with chemicals related to wood treating operations.

July 31, 2017 – EPA adds West Texas site to National Priorities List to reduce environmental and public health risk

- The site consists of a plume of groundwater contaminated with volatile organic compounds (VOCs) that released into the Santa Rosa Aquifer.
- Currently, seven of the city's nine wells contain either trichloroethene (TCE) or tetrachloroethene (PCE).
- Because two of the wells contain PCE above health-based limits, the public water supply system treats and blends water prior to distribution to ensure it meets drinking water standards.
- The source of contamination is not known.

July 31, 2017 – EPA proposes to add site in Deridder, La., to National Priorities List to reduce environmental and public health risk

July 31, 2017 – EPA Adds Superfund Sites to National Priorities List to Clean Up Contamination

July 31, 2017 – EPA Adds Amesbury, Mass. Superfund Site to National Priorities List to Clean Up Contamination

- The former Microfab Inc. Site is a 14-acre site that's contaminated with elevated levels of Volatile Organic Compounds and metals from years of industrial waste discharges.
- The property has been abandoned for some time, and the company filed for bankruptcy in 1987.
- Since contamination still exists at the site, and the state resources for cleaning up the site have been exhausted, Massachusetts referred the former Microfab Inc. Site to EPA for listing on the National Priorities List.
- Now that the site is listed, EPA can begin taking steps towards cleanup.

AUGUST 2017

August 1, 2017 – EPA Announces Michigan Can Forgive Flint's Past Drinking Water Debt

August 1, 2017 – EPA Backs Maryland Plan to Improve Water Quality

- The Baltimore projects targeted for funding in the state's CWSRF plan include:
 - \$73.7 million to Baltimore City (\$36,970,800) and Baltimore County (\$36,700,000) for improvements to the Back River wastewater treatment plant.
 - \$46.7 million to implement the city's Municipal Separate Storm Sewer System (MS4) permit program by constructing various green infrastructure projects to absorb stormwater.
 - Baltimore is also expected to receive \$7.5 million for three sanitary sewer collection system improvements, part of the \$54.8 million allocated for 20 such projects statewide.

August 1, 2017 – EPA to host Public Meeting Regarding the Henry's Knob Former Mine Site

August 1, 2017 – EPA selects cleanup plan for Kanawha River Superfund Site to address fish contamination

- The cleanup work focuses on a 14-mile stretch within the Kanawha River.
- Cleanup work will include constructing a cap over more than nine acres of contaminated river sediments.
- This capping will reduce the mobility and concentrations of dioxin in the sediments.

August 2, 2017 – EPA Declares Outdoor Burn Ban for Yakama Nation

August 2, 2017 – EPA Issues Final Cleanup Plan for BoRit Asbestos Superfund Site in Montgomery County, Pa.

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- The site was used to dispose of asbestos-containing material from the 1930s to the 1970s that came from a nearby asbestos-manufacturing plant.
- EPA, which is funding all cleanup costs, estimates past and future costs at \$27.1 million. This includes the completed capping work and future monitoring and long-term maintenance.

August 2, 2017 – Air Quality Continues to Improve, While U.S. Economy Continues to Grow

August 2, 2017 – Pruitt Continues State Action Tour in Indiana

- Governor Eric Holcomb

August 2, 2017 – EPA Awards Palm Beach County, Florida \$133,135 to Reduce Air Pollution

August 2, 2017 – EPA Continues to Work With States on 2015 Ozone Designations

August 2, 2017 – EPA Backs West Virginia Plan to Improve Water Quality

- The projects targeted for funding in the state's CWSRF plan include:
 - \$4,045,000 to the Town of Belle to replace its existing wastewater treatment plant and upgrade the main pump station in Kanawha County.
 - \$3,404,539 to the City of Benwood to install a new sanitary sewer system with the existing combined sewer system left in place to serve as a storm drainage system in Marshall County.
 - \$3,359,674 to the Central Boaz Public Service District (PSD) to construct a pressure sewer system and upgrade the existing wastewater treatment plant in Wood County.
 - \$10,878,500 to the Greater Harrison County PSD to install a gravity sewer collection system, pump stations, force mains and construction of a new 100,000 gallons-per-day wastewater treatment plant in Harrison County.
 - \$5,900,000 to the Hancock County PSD to collect semi-treated or non-treated wastewater and transport it to the City of Chester publicly-owned treatment works for treatment and final disposal.
 - \$2,599,779 to the Harpers Ferry-Bolivar PSD to upgrade its existing wastewater treatment system in Jefferson County.
 - \$991,570 to the Montgomery Sanitary Board to upgrade and relocate the Sixth Avenue Sewage pumping station in Montgomery, Kanawha County.
 - \$14 million to the City of Oak Hill to consolidate the Arbuckle PSD into the Oak Hill Sanitary Board (OHSB) system and construct a sewer pumping station to transport flows from the existing Arbuckle wastewater treatment plant to the OHSB plant.

August 3, 2017 – Pruitt Continues State Action Tour in Colorado

August 3, 2017 – EPA to begin hazardous waste cleanup at abandoned plating facility in St. Paul, Minnesota

- The 21,100 square-foot building houses 82 open vats of cyanide, caustics and chromium along with another 76 drums of other chemicals.
- Asbestos has also been found in the deteriorating building.
- EPA expects it will cost \$1.6 million and take about 65 work days to clean up spilled chemicals, empty and clean vats and dispose of all hazardous waste.

August 3, 2017 – EPA to hold Aug. 7 open house for Lusher Street Groundwater Contamination Superfund site in Elkhart, Indiana

August 4, 2017 – EPA Region 7 Awards Environmental Education Grant Focusing on Groundwater Education, Protection in Nebraska

- “Recharging Groundwater Education” will train teachers to engage students in problem-solving and critical thinking around local environmental threats to the groundwater supply in Nebraska; mentor high school students through outdoor internships and stewardship projects; and promote student exploration and awareness of career opportunities in water-related science and engineering fields.

August 4, 2017 – Administrator Pruitt Visits Gold King Mine on Anniversary of Spill

August 4, 2017 – Pittsburgh gets \$600,000 in EPA Brownfields Grants to assess properties

- EPA's funding announced today includes two grants:

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1. \$425,000 will be used to assess properties for hazardous substances.
2. \$175,000 will assess potential petroleum contamination.

- Some of the funding will also be used for community outreach.

August 7, 2017 – EPA Cites S.H. Bell for Manganese Air Pollution in Chicago

August 7, 2017 – EPA Enforcement Action Helps Protect Children in New Haven from Lead Paint Hazards

- An EPA review of Pike's records revealed numerous instances in which the companies had not complied with either the Disclosure Rule or with RRP practices.
- Under the agreement, Pike will pay a penalty of \$12,139 and will spend at least \$109,246 on a lead abatement project at three of their properties.
- The settlement also calls for the company to institute a management system to ensure compliance with the Disclosure Rule and RRP Rule, and to provide documentation of its compliance with those rules.

August 7, 2017 – EPA Presents Great Lakes Restoration Initiative Report to Congress and the President

August 7, 2017 – U.S. EPA and California Approve Permit for Point Loma Wastewater Facility

- The program will use advanced water purification technology to filter recycled water to produce a reliable source of potable water.
- Eventually the system will divert up to 83 million gallons of Point Loma wastewater per day from ocean discharges to local reservoirs.
- By 2035, the Pure Water program is expected to generate one-third of the potable water supply needed for San Diego and surrounding communities.
- To accompany the permit, EPA has renewed its Clean Water Act section 301(h) variance for the Point Loma facility, thereby allowing it to forego some wastewater treatment requirements based upon Clean Water Act criteria and the plant's performance. The Clean Water Act section 301(h) variance also requires the facility to monitor water quality to ensure coastal waters are protected.

August 7, 2017 – EPA Awards Arrow Indian Contractors \$3.85 Million for Abandoned Uranium Mine Cleanup

- The site operated from 1974 to 1985 and generated about 1.2 million pounds of uranium ore.
- The work includes excavating contaminated soil and rebuilding the Red Water Pond Road bridge to accommodate heavy equipment.
- Arrow Indian Contractors will also build and repair roads and culverts as needed.
- The work is scheduled to begin in early July and will last about three months.
- Funding for the contract comes from a \$1 billion settlement reached in 2015 for the cleanup of 50 abandoned uranium mines for which Kerr McGee Corporation and its successor, Tronox, have responsibility.

August 7, 2017 – EPA Awards Iowa \$327,000 for Superfund Combined Cooperative Agreement

August 7, 2017 – EPA Eliminates New-Chemical Backlog, Announces Improvements to New Chemical Safety Reviews

- Redeploying staff to increase the number of Full-Time Equivalent (FTE) staff working on new chemicals.
- Initiating a LEAN exercise to streamline work processes around new chemicals review.
- Institutionalizing a voluntary pre-submission consultation process so that submitters have a clear understanding of what information will be most useful for EPA's review of their new chemical submission, and of what they can expect from EPA during the review process. While such engagement prior to submission is an additional up-front time and resource commitment by submitters and EPA, it should more than pay for itself with faster, better-informed EPA reviews.
- Improving transparency by facilitating a public dialogue on the Agency's goal of continued improvement in the new chemicals review program and posting weekly web updates of program statistics, so that manufacturers and the public can determine the disposition of cases as quickly as possible.

August 8, 2017 – EPA to Host Public Meeting for the Proposed Listing of the Mississippi Phosphates Corporation Site to the NPL

August 8, 2017 – Administrator Pruitt Continues State Action Tour in Iowa

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- Governor Kim Reynolds

August 8, 2017 – EPA Awards Iowa \$2 Million Grant for Environmental Programs

August 9, 2017 – Administrator Pruitt Takes State Action Tour to North Dakota

- Governor Doug Burgum

August 9, 2017 – EPA Awards Kansas \$2.9 Million for Nonpoint Source Pollution Prevention Program

August 10, 2017 – Administrator Pruitt Takes State Action Tour to Texas

August 10, 2017 – EPA Issues Guidance on State Coal Ash Management Permit Programs

- EPA released an interim final guidance to help states develop and submit permit programs for the safe management of coal combustion residuals (CCR)
- The interim final guidance released today addresses numerous questions EPA received about the provisions of the WIIN Act, establishes a framework to guide EPA’s approval process and provides checklists to aid states as they are considering and developing their program submittals.
- EPA will accept public comments on the interim final guidance for 30 days following its publication in the Federal Register.

August 10, 2017 – EPA, DOT Open Comment Period On Reconsideration of GHG Standards for Cars and Light Trucks

- Public comment period on the reconsideration of the January 2017 Final Determination for greenhouse gas (GHG) emissions standards for cars and light trucks for model years (MY) 2022-2025.
- EPA is also taking comment on whether the MY 2021 standards are appropriate.
- The Agency is inviting the public to submit relevant data and information that can inform a final determination of the standards.

August 10, 2017 – EPA Awards Kansas \$499,000 Grant for Air Quality Programs

August 11, 2017 – EPA orders Fairbanks company to close illegal motor vehicle waste disposal well to protect nearby drinking water

- During a 2016 inspection of Stepping Stone Builders, EPA found three motor vehicle repair and maintenance shops had floor drains illegally connected to a septic system.
- The wells and septic system are located within a groundwater protection area for a public drinking water system and close to other public water systems.
- The company also paid a \$36,500 penalty for the alleged violations of the federal Safe Drinking Water Act.

August 11, 2017 – EPA Awards an Additional \$768,614 to Iowa to Combat Adverse Pesticide Exposure

- Iowa’s efforts are geared toward ensuring pesticides are applied properly, according to EPA standards that appear on all pesticide labels.
- The state will also provide certification and training for professional applicators, reach out to agricultural workers to increase awareness about the requirements, and implement other activities to protect water resources from pesticides.
- In addition, Iowa is incorporating multipurpose funding for state-identified priorities.

August 15, 2017 – EPA and Tribal Officials Tour Tar Creek Superfund Site

August 15, 2017 – EPA Works with Rhode Island Company to Reduce Risks from Hazardous Materials

- ChemArt Company is spending \$25,000 to reduce the amount of chlorine it stores at its facility and to install safety and alarm features.
- ChemArt will also pay a \$221,326 penalty for its violations of the Clean Air Act and RCRA.
- The case stems from a January 2015 inspection of the company during which EPA inspectors found that ChemArt had violated a number of requirements for chemical risk management planning and for handling hazardous wastes.

August 15, 2017 – Waterbury, Conn., Incinerator to Control Mercury Emissions

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- The City and, Synagro Northeast, which is contracted by the City of Waterbury to operate the sewage sludge incinerator, are both responsible under the agreement for the necessary upgrades at the Waterbury sewage sludge incinerator.
- Waterbury and Synagro failed to meet the deadline for complying with the rules regarding mercury emissions and for various other requirements of the rules, but contacted EPA to work out a plan and schedule for complying, which is included in the agreement.
- The consent decree provides that Waterbury and Synagro will install and operate mercury controls within 18 months, and promptly meet all other requirements of the EPA incineration rules.
- They will pay a penalty of \$104,000, and take measures to limit the mercury content of sewage sludge received at the incinerator.

August 15, 2017 – EPA Grant of \$1.5M Will Help Louisiana Fight Pollution

August 15, 2017 – EPA Provides New Jersey with Nearly \$ 1.2 Million to Assess Contaminated Sites and Oversee Superfund Cleanups

August 16, 2017 – Updates to EPA’s EJSCREEN Provide Access to Important New Data

August 16, 2017 – EPA Provides New York \$186 Million for Wastewater and Drinking Water Improvements

August 16, 2017 – EPA awards \$1.1 million to Idaho to protect drinking water sources

- The two-year grant from 2016 to 2018 supports Idaho’s Leaking Underground Storage Tank Trust Fund Program to investigate and clean up petroleum releases from leaking underground storage tanks that store petroleum (e.g. gasoline, diesel, kerosene, or jet fuel) or certain hazardous substances.

August 17, 2017 – EPA Announces Intent to Revisit Provisions of Phase 2 Heavy-Duty Rules

August 17, 2017 – EPA Provides New Jersey \$70 Million for Wastewater and Drinking Water Improvements

August 18, 2017 – Logan River watershed receives portion of \$1m grant for water quality improvement projects

August 21, 2017 – EPA Extends Comment Period for Proposed Cleanup Plan for the Wells G&H Superfund Site in Woburn Massachusetts

August 21, 2017 – EPA Announces \$2.86 Million to Improve Tribal Lands in Arizona

- Arizona tribes will use \$741,214 under EPA’s Superfund program to help strengthen hazardous waste regulations and prevent contamination of tribal lands.

August 21, 2017 – EPA Announces Appointment of Trey Glenn to Region 4 Administrator

- Mr. Glenn served as director of the Alabama Department of Environmental Management (ADEM) from 2005 - 2009 where he managed over 600 ADEM employees tasked with ensuring a safe, healthy, and productive environment to all Alabama residents.
- Mr. Glenn also served as division director for the Alabama Office of Water Resources from 2001- 2005 where he was responsible for leading day-to-day operations on coordinating and managing Alabama’s water resources.
- Most recently, Mr. Glenn has been working as an independent engineer consultant and business owner, focused on environmental issues.

August 22, 2017 – EPA Announces Innovative Research in Upper Willamette

- *“Is It Working? Barriers and Incentives to Nutrient Management for Southern Willamette Valley Farmers”*
- Nitrate contamination of groundwater, including drinking water wells, in Oregon’s southern Willamette Valley has been a growing concern in recent years.
- As agricultural inputs are a significant source of nitrates, efforts have been underway to measure nitrate leaching from active cropland in the area and share this information with farmers.
- This project will involve reaching out to these farmers to understand how they are using this information and how it has impacted their decision making.
- The results will help guide agencies in determining how best to provide information to farmers, create incentives, and remove barriers to improving nutrient management and reducing nitrate leaching to groundwater.

August 22, 2017 – EPA Announces Innovative Research across the Country to Address State Environmental Issues
The projects announced today are:

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- Low-Cost Sensors for Real-Time Continuous Water Quality Monitoring (Ga.)
- Detecting Sensitive Aquatic Species using Environmental DNA (W.Va., Md., Pa.)
- Using Citizen Science to Analyze Underwater Video in the Great Lakes (Mich., Wis.)
- Novel VOC Sensor System for Fugitive Emission Detection (Texas)
- Use of Next-Generation Molecular Tools for Harmful Algal Blooms and Microbial Source Tracking to Support Watershed Restoration in Kansas and Nebraska (Kan., Neb.)
- Advanced Septic System Nitrogen Sensor Challenge – Phase II Prototype Performance Testing (Mass., N.Y.)
- Montana’s Smith River Algae Crowdsourcing Project (Mont.)
- Is It Working? Barriers and Incentives to Nutrient Management for Southern Willamette Valley Farmers (Ore.)
- Building Capacity to Measure Air Pollution Mitigation Strategies at Schools (Calif.)

August 22, 2017 – EPA Proposed Plan Meeting Scheduled for the Continental Cleaners Superfund Site in Miami, Fla.

August 22, 2017 – U.S. EPA, partners study roadside vegetation and air quality at local school

- EPA and its partners will work with the school community to study the effectiveness of a vegetation barrier in reducing air pollution at Brookfield Elementary, located next to Interstate Highway 880.
- Project partners have planted vegetation at the site, and EPA and other agencies are assessing air quality before and after the plantings. EPA will provide low-cost sensors to school and community members for monitoring air pollution as the vegetation matures.

August 22, 2017 – EPA funds Montana project to engage citizen scientists on Smith River algae issue

- EPA, the Montana Department of Environmental Quality, and Montana Fish, Wildlife, and Parks will develop a mobile app to capture crowdsourced data to engage visitors in collecting photos of the excess algae growth on Montana’s Smith River during the 2018 recreation season.
- This project will receive \$50,000 in EPA funding.

August 22, 2017 – EPA Awards Research Grant to Georgia Environmental Protection Division for Water Quality Monitoring Project

- Project will build, deploy, and evaluate a low-cost water quality sensing network that enables users to log data in real time.

August 22, 2017 – EPA Announces Innovative Mussel Research to Address Water Quality Issues

August 22, 2017 – EPA Announces Collaborative Innovative Research in Mass. and New York to Address State Environmental Issues

- EPA will work with the New York State Department of Health; the Massachusetts Department of Environmental Protection, The Nature Conservancy; Barnstable County, Mass.; and Suffolk County, N.Y. on a challenge for the best performing nitrogen sensor package to be installed in advanced septic systems in 2019.
- The team will conduct laboratory and field testing and evaluate the effectiveness of new, low-cost sensor technologies to detect and measure nitrogen in the effluent of advanced septic or onsite wastewater treatment systems designed to remove excess nitrogen pollution from wastewater.

August 22, 2017 – EPA partners with Michigan, Wisconsin and citizen scientists on innovative Great Lakes research project

- The project will design a citizen science web platform to analyze 1,000 underwater videos of the Great Lakes ecosystem. Michigan and Wisconsin are among 14 states partnering with EPA to launch new research projects to address priority environmental and health issues.

August 22, 2017 – \$1.6M grant to help Wyoming address Leaking Underground Petroleum Storage Tanks

August 23, 2017 – EPA Provides Brownfields Grant to Shelton, Conn.

- The \$200,000 brownfields assessment grant will focus on assessing contaminated properties in the Shelton Canal and Shelton Industrial District.
- These funds will be used to update three Phase I environmental site assessments, conduct three Phase II environmental site assessments, and prepare three cleanup plans.

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- Grant funds also will be used to support community outreach activities, including community meetings and updates to the city's brownfields website.

August 23, 2017 – EPA Proposes Plan to Address Contamination at Superfund Site in Woolwich Township, N.J.

- As a result of past truck maintenance and tanker washing operations at the site, the soil, sediment and groundwater are contaminated with volatile organic compounds, which can potentially harm people's health.
- EPA has proposed a plan to install specially-designed underground walls to treat contaminated groundwater and excavate contaminated soil and sediment at the Matlack, Inc. Superfund site.
- The EPA estimates the cost of this cleanup will be about \$2.9 million.

August 23, 2017 – EPA awards \$45,000 grant to Sault Ste. Marie Tribe of Chippewa Indians to improve air quality in Michigan's Upper Peninsula

August 24, 2017 – EPA Resolves Chemical Data Reporting and Recordkeeping Violations with Electronics Company in CA, GA

- In 2012, Ricoh filed a timely, but inaccurate, report of the total annual volumes of three chemical substances imported in 2011 at its Tustin facility and one chemical substance at its Santa Ana facility.
- In addition, EPA found that in 2015, Ricoh did not have records documenting the amount of 10 chemical substances imported to its Lawrenceville, Ga., facility.
- Under the settlement, Ricoh Electronics will pay a fine of \$245,990.

August 24, 2017 – EPA Awards Hillsborough County, Florida \$246,829 to Reduce Air Pollution

August 24, 2017 – EPA AWARDS WASHINGTON DEPARTMENT OF ECOLOGY JUST OVER \$3 MILLION TO PROTECT WATER QUALITY

August 24, 2017 – Three Conn. Companies Provide Public with Chemical Information under EPA Settlements

August 25, 2017 – EPAs Grant of \$2,536,800 to South Carolina will Support Efforts to Improve and Protect Water Quality

August 25, 2017 – EPA Extends Public Comment Period on Plan to Clean Up Contamination at Superfund site in Gibbsboro, N.J.

August 25, 2017 – EPA and the Army Seek Input in the Review of the Waters of the U.S. Rule

- Stakeholder sessions will be held weekly between September and November.

August 25, 2017 – EPA Approves Emergency Fuel Waiver for Texas

August 25, 2017 – EPA Ready to Support FEMA, State Efforts on Hurricane Harvey

- EPA supports hurricane preparedness and response in a number of ways, including:
 - A temporary waiver can help ensure an adequate supply of gasoline is available in the affected area, particularly for emergency vehicles.
 - Both Texas Commission on Environmental Quality and Louisiana Department of Hospitals have uploaded their potentially impacted water systems into Response Manager, which enables planning for rapid assessments to restore water systems after the storm passes and flood waters recede.
 - Securing Superfund Sites
 - Following the storm and receding floodwaters, spills and releases are reported to the National Response Center. NRC notifies US Coast Guard or EPA based on preapproved jurisdiction boundaries. EPA conducts follow up inspections and damage assessments in response to reports within EPA jurisdiction.

August 26, 2017 – EPA Approves TCEQ Request to Expand Emergency Fuel Waiver

- The waiver will now include the four-county Dallas-Fort Worth reformulated gasoline (RFG) area, the 98-county area required to use low volatility fuel, and the 110-county area required to use Texas Low Emission Diesel (TxLED).

August 28, 2017 – EPA Approves Emergency Fuel Waiver for Louisiana

August 28, 2017 – EPA penalizes Kapolei company for failing to close illegal cesspool

- In May 2016, EPA inspected the Fileminders facility, a records storage company in the Campbell Industrial Park, and found one large-capacity cesspool (LCC) in use.

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- Fileminders, the operator of the cesspool, and Hawaii MMGD, the company's owner, will pay a civil penalty of \$122,000 for violating the Safe Drinking Water Act.
- In June, the cesspool was closed and the company installed an individual wastewater system.

August 29, 2017 – U.S. EPA to clean up asbestos at Hudepohl site in Cincinnati

- The site has been vacant since the brewery closed in 1987 after more 100 years in operation.
- Last spring, the Greater Cincinnati Redevelopment Authority requested EPA's assistance to evaluate the risks posed by the deteriorating building.
- EPA will remove asbestos waste from inside the old boiler house and clean up a large outdoor debris pile containing asbestos material.
- The agency estimates the cleanup will take about six months and cost \$1.8 million.

August 29, 2017 – EPA approves moderate air quality improvement plan for Fairbanks, Alaska

August 29, 2017 – EPA Approves Emergency Fuel Waivers for Texas and Georgia

August 29, 2017 – EPA Works with Lynn, Mass. Company to Reduce Risk from Chemicals by Improving Safety Measures

- Demakes Enterprises owns and operates a meat processing, cooking, packaging, and storage facility.
- The company violated a part of the Clean Air Act known as the General Duty Clause in its widespread mishandling of anhydrous ammonia.
- The company violated the right to know law by failing to accurately report the amount of ammonia used in the facility, as well as failing to report sulfuric acid present in the facility.
- As part of resolving the violations identified by EPA, the company spent about \$300,000 on safety upgrades and other measures to come into compliance with the Clean Air Act, as well as the federal Emergency Planning and Community Right-to-Know Act.
- In an agreement signed with EPA's New England office, the company also said it would pay a penalty of \$132,183 to resolve the violations.

August 30, 2017 – EPA Approves Emergency Fuel Waivers for Gulf and East Coast States

August 30, 2017 – Administrator Pruitt Meets With Hurricane Harvey Responders and Officials in Texas

August 30, 2017 – EPA provides additional \$250K for Lewis and Clark County lead assistance program at East Helena Superfund site

- The East Helena site includes a lead smelter that operated from 1888 until 2001, the town of East Helena, several residential subdivisions and surrounding agricultural lands.
- Since 2012, EPA has awarded \$1.8M to the county for the lead assistance program through a cooperative agreement.
- The county will use these funds to perform lead assessments in homes, conduct blood-lead sampling, and implement institutional controls and a soils ordinance as part of the remedy at the East Helena Superfund site.

August 30, 2017 – EPA Honors New Jersey Environmental Educators and Students

August 30, 2017 – EPA Honors Georgia Environmental Educators and Students

August 31, 2017 – EPA Honors Environmental Educators and Students

August 31, 2017 – EPA awards Idaho Department of Environmental Quality nearly \$2 million to protect water quality

August 31, 2017 – EPA Honors New Canaan, Conn. Teacher with Environmental Educator Award

August 31, 2017 – EPA honors Chicago area teacher for environmental education

August 31, 2017 – EPA Approves Emergency Fuel Waivers for 38 States and Washington, D.C.

August 31, 2017 – EPA Honors California Environmental Educators in Huntington Beach and San Marcos

August 31, 2017 – No Off-Site Public Health Risks from Stormwater Runoff at West Lake Landfill

August 31, 2017 – EPA/TCEQ Statement on Water Quality of Flood-Impacted Areas from Hurricane Harvey

SEPTEMBER 2017

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September 1, 2017 – EPA Announces \$203,500 Grant to Support Rhode Island's Coastal Beach Monitoring Program

September 1, 2017 – EPA Provides \$331,340 to Support Virginia's Coastal Recreation Water Monitoring and Public Notification Programs

September 2, 2017 – Widespread Praise From Environmental Officials for David Ross

- President Trump announced his intent to nominate David Ross to serve as assistant administrator for OW.
- Mr. Ross currently serves as Wisconsin assistant attorney general and director of the Environmental Protection Unit for the Wisconsin Department of Justice.
- As Wisconsin assistant attorney general, he is responsible for managing the environmental litigation unit which prosecutes violations of state environmental and natural resources laws and defends administrative decisions and rules issued by the Wisconsin Department of Natural Resources.
- Mr. Ross previously served in the Wyoming Attorney General's Office from 2014-2016 as senior assistant attorney general and as a member of the Water and Natural Resources Division.

September 2, 2017 – Widespread Praise for Matt Leopold

- President Trump announced his intent to nominate Matt Leopold to serve as general counsel for EPA
- Mr. Leopold previously served as general counsel for Florida Department of Environmental Protection from March 2013 to February 2015 and as an attorney for the United States Department of Justice Environment and Natural Resources Division from January 2007 to February 2013.
- He is currently of counsel for Carlton Fields Jorden Burt, P.A. focusing on environment, energy, water law, and litigation.

September 4, 2017 – HOUSTON AREA SUPERFUND SITES OPENED TO NEWS OUTLETS TODAY; TCEQ/EPA UPDATED LOCAL, NATIONAL LEADERS ON HEALTH, ENVIRONMENTAL EFFECTS OF HARVEY

September 5, 2017 – EPA to hold Sept. 6 public meeting to announce residential soil sampling at the Beck's Lake Superfund site in South Bend, Indiana

September 5, 2017 – EPA Awards \$1 Million Dollar Grant to North Carolina Department of Environmental Quality

September 5, 2017 – EPA Awards Restore America's Estuaries with nearly \$4 million to manage Southeast New England grant program

September 6, 2017 – Agreement Requires Baltimore City to Address Sanitary Sewer Overflows

- The original consent decree required all work to be completed by January 2016, but it became clear that due to a significant hydraulic restriction that impacts the flow of wastewater into the Back River wastewater treatment plant and other factors, additional time and effort were necessary to bring the system into full compliance with Clean Water Act requirements.
- Baltimore has already completed several actions mandated by the original consent decree including eliminating combined sewers, sewershed evaluations, eliminating most SSO structures, and rehabilitating pumping stations. Baltimore has also been assessed more than \$2 million in stipulated penalties for SSOs that occurred prior to 2016.
- The proposed modification, which requires court approval, provides that implementation of the rehabilitation projects will be in two phases: Phase I to be completed by January 2021 and Phase II to be completed by December 2030. Phase I implementation is currently ongoing and requires Baltimore to address the hydraulic restriction at the Back River wastewater treatment plant, structural improvements, and a series of sewer upgrades. Phase I is expected to address about 83 percent of the wet weather overflow volume.
- After the completion of Phase I, Baltimore will monitor rainfall and flow in its collection system to inform the development of a Phase II plan, which is due in December 2022. Following the completion of Phase II, Baltimore will again monitor its collection system for two more years, with a final report due on July 31, 2033.

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- The modified consent decree also requires Baltimore to: identify areas prone to suffer basement backups during wet weather; develop a program to prioritize repairs to the collection system laterals that contribute to recurring backups; and, develop standard operating procedures for responding to and determining the cause of backups.
- In addition, the modified consent decree includes a new section on the reporting, investigation and elimination of sanitary discharges of unknown origin (SDUOs). SDUOs refer to discharges of sewage via the separate storm sewer system. The consent decree requires Baltimore to draft a plan to investigate the sources of SDUOs, and correct any deficiencies in the sewage collection system that are resulting in SDUOs.
- Furthermore, the modified consent decree includes a number of new requirements relating to the Emergency Response Plan including: a plan to notify the public of SDUOs and to post signs in areas of chronic overflows and SDUOs; a plan on how they city will respond to basement backups; a plan on public education regarding basement backups; and, implementing a pilot program to provide expedited reimbursement of cleanup costs arising from capacity related backups.

September 6, 2017 – Regions 2 and 4 Taking Precautions, Activating Emergency Response Teams

September 6, 2017 – Two Boston Organizations Awarded EPA Environmental Education Grants

- Health Resources in Action of Boston received \$91,000 for a two-year program called Empowering Boston Youth. Leaders through Education, Action, and Hope is a youth and career development program that gives low-income high school students of color at Boston Public Schools with paid teaching internships to teach science to fourth to sixth graders in after school programs.
- The New England Aquarium received \$90,864 for a two-year project that will educate 500 Boston area residents, both youth and adult volunteers, on habitat restoration opportunities.

September 6, 2017 – EPA Approves Emergency Fuel Waiver for Florida

September 6, 2017 – EPA Securing Florida Superfund Sites Prior to Hurricane Irma

- EPA is taking the following steps to evaluate and secure Superfund sites prior to Hurricane Irma making landfall:
 - Technical staff in the Region 4 office are currently reviewing the South Florida sites to evaluate any vulnerabilities at each site. Every Superfund site is complex and unique, so the vulnerability of each site varies.
 - If any site in the path of the storm is found to pose an immediate threat to nearby populations, EPA will immediately alert local officials.
 - If activity is on-going at the site, EPA will instruct the on-site contractor to secure the site immediately. This includes evacuating personnel, ceasing all activity, and securing equipment and other potentially harmful materials.
 - If no activity is currently occurring at the site, the site is considered secured but remains closely monitored.
 - As part of this review, sites are also prioritized by vulnerability for on-site evaluation once the storm has passed.
 - After the storm passes, floodwaters recede, and it is deemed safe to enter a site, EPA remedial managers and contractors conduct rapid assessments of sites based on priority to identify any damage and initiate cleanup plans if necessary.
 - Unauthorized entry at any Superfund site, either prior to or following the storm, is prohibited as these sites can be extremely dangerous and can pose significant threats to human health.

September 7, 2017 – IRMA UPDATE: Regions 2 and 4 Taking Precautions, Activating Emergency Response Teams

September 7, 2017 – Environmental Leaders Praise Bill Wehrum EPA Nomination

- President Trump announced his intention to nominate Bill Wehrum to serve as EPA Assistant Administrator for the Office of Air and Radiation (OAR).

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- Mr. Wehrum previously served as EPA’s acting assistant administrator for Air and Radiation from 2005 to 2007 and as EPA’s principal deputy assistant administrator and counsel to the assistant administrator for Air and Radiation.
- He is currently partner and head of the Administrative Law Group at Hunton & Williams LLP where his practice focuses on air quality issues.
- Mr. Wehrum’s career includes over 31 years working in the environmental field through engineering, legal practice, and administrative duties.

September 7, 2017 – EPA Awards a \$91,000 Grant to Trout Unlimited to Provide Educational Opportunities to Western Michigan Girls

September 7, 2017 – EPA to hold five public meetings in Idaho focusing on IDEQ seeking water quality permitting program

September 7, 2017 – EPA Approves Emergency Fuel Waivers for 38 States and Washington, D.C.

September 8, 2017 – EPA Announces \$900,000 in Federal Grants to Tackle Invasive Species in New York State

September 9, 2017 – EPA exercises enforcement discretion for electric generating units in Monroe County, Florida

September 10, 2017 – EPA Exercises Enforcement Discretion for Tampa Electric Company In Order to Maintain Electricity Supply

September 11, 2017 – EPA Exercises Enforcement Discretion for All Power Plants in Florida

September 12, 2017 – StarKist to enhance environmental and safety measures at facility in American Samoa

- In July 2014, the American Samoa Environmental Protection Agency informed EPA of a discharge pipeline break at the facility, which was spilling unpermitted wastewater into the inner Pago Pago Harbor. At that time, EPA began investigating the facility after monitoring reports submitted by StarKist revealed wastewater pollutant levels that consistently exceeded permitted levels.
- EPA’s investigations revealed that StarKist had changed the composition of the facility’s discharged wastewater such that its existing wastewater treatment system was inadequate.
- In addition to wastewater violations, EPA also found StarKist was improperly storing ammonia, butane, and chlorine gas, which the facility used on-site for refrigeration, operation of forklifts, and disinfection.
- The agreement requires the companies to make a series of upgrades to reduce pollution, improve safety measures, and comply with important federal environmental laws at their tuna processing facility in American Samoa.
- Under the agreement, StarKist will pay a \$6.3 million penalty and provide emergency response equipment to American Samoa for use in responding to chemical releases.

September 12, 2017 – Wildlands Restoration Volunteers in Boulder, Colo. receives EPA Environmental Education grant

September 12, 2017 – National Space Science & Technology Institute in Colorado Springs receives grant for mobile environmental education lab

September 12, 2017 – EPA environmental education grant helps students access hands-on learning to protect the Hood Canal watershed

September 13, 2017 – EPA Exercises Enforcement Discretion for Duke Energy Florida Vehicles and Equipment

September 13, 2017 – EPA Acts to Continue the Waiver of Fuel Requirements in Texas

September 13, 2017 – EPA Irma Update for Wednesday, September 13, 2017

September 13, 2017 – EPA Finalizes Rule to Postpone Steam Electric Power Plant Effluent Guidelines Rule

- Last month, the Administrator announced that he would reconsider BAT effluent limitations and PSES in the 2015 rule that apply to bottom ash transport water and FGD wastewater.
- The final rule postpones the compliance dates for the best available technology economically achievable (“BAT”) effluent limitations and pretreatment standards (“PSES”) for two wastestreams at existing sources, bottom ash transport water and flue gas desulfurization (“FGD”) wastewater, for a period of two years.
- As part of this upcoming rulemaking, EPA will provide an opportunity for public comment on any proposed revisions to the 2015 final rule.

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- At this time, EPA does not intend to conduct a rulemaking that would potentially revise BAT effluent limitations and PSES in the 2015 rule for fly ash transport water, flue gas mercury control wastewater, and gasification wastewater, or any of the other requirements in the 2015 rule.

September 13, 2017 – EPA approved and helped fund a \$141 million plan by Pennsylvania to implement 23 clean water infrastructure projects

September 13, 2017 – EPA Provides Certainty to Florida DEP over Stormwater Discharges at Facilities Impacted by Hurricane Irma

September 13, 2017 – EPA and USDA to Help Two Maine Communities with Economic Development Goals

September 14, 2017 – EPA to Reconsider Certain Coal Ash Rule Provisions

- EPA granted two petitions to reconsider substantive provisions of the final CCR rule:
 - The petition from USWAG was submitted May 12, 2017, and seeks reconsideration of 11 specific provisions of the final CCR rule, including provisions prohibiting the use of alternative points of compliance for ground water contamination, regulating inactive surface impoundments, and defining what activities constitute beneficial use of CCR.
 - The petition from AES Puerto Rico LLP was submitted May 31, 2017, and seeks reconsideration of certain on-site storage practices.

September 14, 2017 – EPA, N.C. DEQ and Multistate Trust to Hold Public Availability Session and Public Meeting about Kerr-McGee Superfund Site in Navassa, N.C. on Sept. 19

September 15, 2017 – EPA Exercises Enforcement Discretion for Fuel Storage and Distribution Facilities in Texas

September 15, 2017 – EPA Administrator Scott Pruitt Visits Houston To Review Hurricane Harvey Response Efforts

- Administrator Pruitt received an aerial tour of affected Superfund sites in the region by the United States Coast Guard.
- Sites included: Patrick Bayou, U.S. Oil Recovery, San Jacinto River Waste Pits, Highlands Acid Pits, French Unlimited, Brio Refining, and Dixie Oil Processors.

September 15, 2017 – EPA awards \$332,000 to Hawaii Department of Agriculture for pesticide programs

September 18, 2017 – EPA Prepares for Hurricane Maria and Continues Recovery Efforts from Irma

September 18, 2017 – EPA Proposes Additional \$30 Million Cleanup at the Koppers Superfund Site in Charleston, S.C. to Pave Way for Mixed-Use Development

- EPA's proposed cleanup plan presents an amendment to the original remedy, including an estimated \$30 million in additional cleanup work on the Koppers site that will be implemented by a consortium of developers under EPA oversight.
- This additional cleanup work will facilitate the redevelopment of the Koppers site into a new mixed-use community that includes residential and other uses.
- The proposed plan identifies changes to the original cleanup that was largely completed in 2003 to be protective under a future commercial/industrial land-use scenario.
- The additional cleanup work under the Proposed Plan involves:
 - In-Situ Stabilization and Solidification of creosote in the subsurface of the Old Impoundment Area instead of the ongoing recovery system;
 - Installation of a more permanent soil exposure cover to support a change in land use; and
 - Replacement of existing drainage ditches with a subterranean storm sewer system consistent with future use.

September 18, 2017 – EPA Exercises Enforcement Discretion for Power Generators Donated to Communities Impacted by Hurricanes Harvey and Irma

September 18, 2017 – EPA awards \$18 million to state of Alaska for critical water projects

September 19, 2017 – EPA Awards \$1.6 Million to Small Businesses to Support the Development of Environmental Technologies

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- These fifteen companies are receiving Phase I contracts from EPA's Small Business Innovation Research (SBIR) program, which awards contracts annually through a two-phase competition.
- Companies compete for a Phase I award of \$100,000 by submitting research that addresses key environmental issues.
- After receiving a Phase I award, companies are eligible to compete for a Phase II award of \$300,000 to further develop and commercialize the technology.
- SBIR Phase I recipients are:
 - Giner, Inc., Newton, Mass., for an inexpensive chemical sensor for indoor air quality application
 - Vuronyx Technologies, Woburn, Mass., for a robust, energy efficient, and cost effective technology for water desalination
 - Reactive Innovations, LLC, Westford, Mass., for an inexpensive hand-held monitor for measuring fugitive methane emissions
 - Ecovative Design, LLC, Green Island, N.Y., to grow fungal resin for a novel approach to manufacturing wood particleboard
 - NanoSafe, Inc., Blacksburg, Va., for a mobile analytical platform for lead detection in drinking water
 - Metna Co., Lansing, Mich., for zero emission reconstituted wood panels for building interiors
 - TDA Research, Inc., Wheat Ridge, Colo., for an innovative water desalination system for small communities
 - Vaporsens, Inc., Salt Lake City, Utah, for indoor chemical detection by a low-cost chemical sensor based on organic nanofibers
 - iSense, LLC, Mountain View, Calif., to develop an inexpensive, portable optical sensor to monitor indoor chemical levels
 - KWJ Engineering, Inc., Newark, Calif., to create a simple lead test for drinking water safety & to create an inexpensive low-power, nano-sensor-based measurement of fugitive methane emissions
 - Instrumental Polymer Technologies, LLC, Westlake Village, Calif., to develop a completely sustainable plastic that is uniquely a recyclable thermoset resin
 - BioInspira, Inc., Berkeley, Calif., to develop a film that binds to natural gas to provide an accurate, small, power-efficient, and low-cost gas sensor for surveyors and leak inspection crews from the gas and oil industry
 - SPEC Sensors, LLC, Newark, Calif., to create a low cost sensor to reduce chemical exposure in the home
 - Oceanit Laboratories, Inc., Honolulu, Hawaii, to develop a corrosion resistant, non-toxic, multifunctional coating to protect the interior of aging pipelines that can be applied via a process that allows for heavily corroded pipes to be retrofitted and refurbished in place
 - ZILA Works, Renton, Wash., to use an oil derived from hempseed to create an eco-friendly epoxy resin for use in manufacturing sporting goods

September 20, 2017 – U.S. EPA will hold an open house to announce the start of a cleanup at Tremont Field in Cleveland, Ohio

- During an environmental assessment performed as part of planned park improvements, the city of Cleveland discovered high levels of contamination present at the 41.5-acre park and requested U.S. EPA assistance to address the contamination.
- EPA intends to place a 2-foot soil barrier over the contaminated portions of the park to allow for safe recreational use.
- The project is expected to take six to nine months to complete and cost up to \$5.9 million.

September 21, 2017 – Denver-area contractor cited for failing to follow lead-safe requirements on home renovation project

- EPA announced a settlement with Lakewood, Colorado-based Regal Construction, Inc. as part of an ongoing initiative to protect Denver-area communities from toxic lead paint hazard

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- Under the settlement, Regal Construction, Inc. has agreed to take steps to become lead-safe certified to resolve allegations that the firm performed renovations on a pre-1978 home in Denver without being certified under the RRP rule and without performing required safe work practices.
- The firm has also agreed to pay a penalty of \$12,438.

September 21, 2017 – EPA awards \$23 million to California to manage and reduce hazardous waste

September 21, 2017 – EPA Approves Emergency Fuel Waiver for Florida

September 22, 2017 – EPA Extends Enforcement Discretion for Fuel Storage and Distribution Facilities in Texas

- EPA issued three additional “no action assurance” letters:
 - A larger number of tanker trucks is needed to deliver fuel to some areas of Texas and Louisiana due to damaged infrastructure and flooding. EPA will not pursue enforcement actions against tanker trucks for certain provisions of the Clean Air Act and parallel Texas regulations that relate to tank tightness and registration for tanker trucks.
 - Due to infrastructure damage, Texas refineries are unable to operate at full capacity, which is causing gasoline shortages. EPA will not pursue enforcement actions that relate to violations of provisions of the Clean Air Act for emissions of certain air pollutants from gasoline storage tanks during events known as “roof landings.”
 - Due to operational issues at bulk fuel terminals as a result of Hurricane Harvey, some facilities are not equipped with devices to capture or recover certain types of air pollutants. EPA will not pursue enforcement actions that relate to violations of provisions of the Clean Air Act that require the operation of these devices at bulk fuel terminals.

September 22, 2017 – EPA Extends Enforcement Discretion for Fuel Storage and Distribution Facilities in Florida

- EPA issued three additional “no action assurance” letters similar to Texas’.

September 22, 2017 –Connecticut Chapter of the National Audubon Society Awarded \$91,000 EPA Education Grant

September 23, 2017 – EPA Exercises Enforcement Discretion for Mobile Power Generators Imported for Use in Puerto Rico

September 24, 2017 – EPA Acts to Increase Supply of Clean Drinking Water in U.S. Virgin Islands

- The order authorizes FEMA and DOD to install and operate temporary water treatment units that will provide a supply of clean drinking water.

September 25, 2017 – EPA Continues Cleanup Work at the Site of Portland’s River Street Warehouse Fire

- Asbestos was used as insulation in the warehouse’s roofing material, and the fire distributed Asbestos Containing Material or ACM over a large area of northwest and downtown Portland.
- Over four weeks, EPA, DEQ and contractors removed debris from building roofs, parks, sidewalks and other public spaces.
- Air samples collected throughout community areas were below action thresholds for asbestos.
- Beginning the week of September 25, EPA and contractors will continue cleanup activities to safely remove all the remaining ACM still located at the warehouse site.
- To address safety concerns about the structural integrity of the site where the former warehouse was built on the Willamette River, EPA will construct two trestles over the site to safely access and remove all remaining ACM.
- The ACM removal work is expected to last about four months.

September 25, 2017 – EPA Provides State of Vermont \$14.7 Million for Water Infrastructure Projects

September 26, 2017 – EPA Approves Emergency Fuel Waiver for Puerto Rico

September 26, 2017 – EPA Provides New Jersey with \$16.7 Million to Improve Environmental Programs

September 26, 2017 – U.S. EPA to begin cleanup at the Sandoval Zinc Superfund site in Sandoval, Illinois

September 26, 2017 – ArcelorMittal Weirton LLC Resolves Hazardous Waste Violations at Weirton, W. Va. Facility

- EPA cited ArcelorMittal for violating the Resource Conservation and Recovery Act (RCRA)

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- Among the concerns noted during an EPA inspection of the electroplating facility were uncontained toxic hazardous waste, such as lead, cyanide and chromium -- a known carcinogen -- on equipment, the facility floor, and outside the building.
- The settlement reflects the company's compliance efforts and its cooperation with EPA's investigation. As part of the settlement, ArcelorMittal Weirton LLC has not admitted liability.
- Under the settlement, ArcelorMittal Weirton LLC will pay a \$93,288 penalty.

September 27, 2017 – EPA to Remove Threats from Radiological Contamination at Superfund Site in Queens, N.Y.

- The EPA identified several buildings on the former Wolff-Alport property, as well as soil both on and off the former Wolff-Alport property and adjacent sewers, that are contaminated with radioactive material from past industrial activities.
- Today, the property includes six parcels of land with five buildings that house several small businesses, office space, warehouses, and residential apartments.
- The final cleanup plan includes:
 - Permanent relocation of six commercial businesses and the residents in apartments above one business
 - Demolition of all contaminated buildings on the former Wolff-Alport property
 - Cleaning/replacing contaminated sewers
 - Excavation, removal and off-site disposal of an estimated 24,300 cubic yards of contaminated soil, sediment and debris
- The EPA will support and assist the on-site tenants with the relocations.
- The EPA has spent about \$3.5 million to date, and the selected remedy is estimated to cost \$39.9 million.

September 27, 2017 – EPA Plan for Additional Cleanup of Lead-Contaminated Residential Properties in West Deptford, N.J. Moves Forward

- EPA added the Tempo development to the Matteo & Sons, Inc. Superfund site in October of 2016 after finding that residential properties on nearby Birchly Court, Woodlane Drive, Oakmont Court and Crown Point Road were impacted by lead contamination from the disposal of crushed battery casings.
- Under the EPA's final cleanup plan, soil contaminated at levels that pose a potential risk to people's health will be removed and disposed of properly at a facility licensed to handle the waste. Excavated areas will be covered with clean soil.

September 27, 2017 – EPA Awards Casco Bay with Annual Grant Funding to Improve Water Quality

September 28, 2017 – U.S. Marine Corps to Bring Camp Pendleton Water Systems into Compliance

- Camp Pendleton's South and North systems provide drinking water to approximately 55,000 customers.
- Camp Pendleton, located in San Diego County, Calif., adds disinfectants to its groundwater systems as part of a treatment process that must be supervised and operated by qualified personnel.
- An EPA inspection in June 2017 found that Camp Pendleton lacked adequate supervision and qualified operators for treatment and distribution at its South and North public water systems.
- EPA's investigation found several significant deficiencies at both systems, including the presence of small animal remains in three reservoirs.
- In addition, EPA found that the advanced water treatment plant had been periodically shut down and that operators were not completing required equipment testing.
- Finally, inspectors found that operators did not regularly inspect, maintain, and document monitoring efforts, which resulted in foundational cracks and inadequate seals.
- Shortly after the EPA inspection, USMC removed the animal remains and cleaned, refilled, and tested the reservoirs for total coliform and chlorine.
- USMC will conduct additional testing to ensure the water in the reservoirs is safe to drink.

September 28, 2017 – EPA awards Nevada \$19.5 million for drinking water and wastewater projects

September 28, 2017 – EPA Announces Appointment of Pete Lopez to Region 2 Administrator

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- Pete Lopez has served as a member of the New York State Assembly since 2007 representing a seven county region including Mid-Hudson, Northern Catskills, Southern Tier, and Capital District.
- Mr. Lopez is currently a member on the New York Assembly Committee on Environmental Conservation and a member of the Task Force on Food, Farm and Nutrition Policy where he has worked to provide proper oversight of New York's health and environment.

September 29, 2017 – EPA Finalizes Decision for Second Phase of Cleanup of the Peninsula Boulevard Superfund Site in Hewlett, Nassau County, N.Y.

- The site is in a densely developed neighborhood that contains multiple commercial and residential properties.
- Dry cleaning businesses in the area have been identified as sources of contamination of the groundwater with volatile organic compounds, such as tetrachloroethylene.
- During the first phase of cleanup work, which began in 2011, the EPA designed a pumping-well-extraction system that will bring the polluted groundwater to the surface where it can be treated. In addition, EPA designed a system of wells that will inject non-hazardous additives in areas of highly contaminated groundwater that will reduce contamination through bioremediation.
- The second phase of the cleanup addresses the sources of groundwater contamination at and around the Cedarwood Cleaners and Piermont Cleaners. The EPA intends to apply non-hazardous additives to the groundwater to promote the breakdown of contaminants. The specific types of additives to be used will be determined by the EPA as part of the design of the cleanup.
- Throughout the cleanup, monitoring, testing and further studies will be conducted to ensure the effectiveness of the cleanup technology.
- The EPA estimates the cost of this cleanup will be about \$24.7 million.

September 29, 2017 – Dredging Pilot at Gowanus Canal Superfund Site in Brooklyn, N.Y. to Begin

- For the first and second segments of the canal, the EPA plan requires dredging of approximately 307,000 cubic yards of highly contaminated sediment. In addition, in areas of the deep sediment that are contaminated with liquid coal tar, which bubbles up toward the surface, the sediment will be stabilized by mixing it with cement or similar binding materials. The stabilized areas will then be covered with multiple layers of clean material, including an "active" layer made of a specific type of absorbent material that will remove PAH contamination that could well up from below, an "isolation" layer of sand and gravel that will ensure that the contaminants are not exposed, and an "armor" layer of heavier gravel and stone to prevent erosion of the underlying layers from boat traffic and currents. Finally, clean sand will be placed on top of the "armor" layer to restore the canal bottom as a habitat.
- For the third segment of the canal, the EPA requires the dredging of approximately 280,000 cubic yards of contaminated sediment and capping of the area with active, isolation and armor layers and a layer of sand to help restore habitat. The plan also requires removing contaminated material placed in the 1st Street turning basin of the canal decades ago and restoring approximately 475 feet of the former basin. In addition, the EPA is requiring the excavation and restoration of the portion of the 5th Street turning basin beginning underneath the 3rd Street Bridge and extending approximately 25 feet to the east of the bridge.
- Work is expected to continue through the spring of 2018.

September 29, 2017 – EPA to Secure Clean Drinking Water Source Near Superfund Site in Galloway, N.J.

- The groundwater is contaminated with volatile organic compounds.
- The EPA will install approximately 14 new drinking water wells, which will draw from deeper groundwater, for residences that are impacted or threatened by groundwater contamination from the site.
- The EPA's record of decision amendment modifies a 2008 cleanup plan, which provided for the extraction and treatment of contaminated groundwater at the site. That extraction and treatment of contaminated groundwater is ongoing, and is expected to continue.

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- Since then, the EPA determined that residential wells have been impacted or are at risk from site-related groundwater contamination.
- The deeper replacement wells will be drilled to a depth of approximately 350 feet where groundwater is clean, and impacted or threatened wells will be taken out of service.
- The EPA estimates the cost of installing the new wells will be about \$1 million.

September 29, 2017 – EPA Reaches \$1 Million Settlement for Treatment System at the San Fernando Valley Superfund Site

- CalMat Corporation (also known as Vulcan Materials Company) is the former owner of a closed landfill known as the Hewitt site, which released 1,4-dioxane into groundwater at the North Hollywood West drinking water wellfield.
- As part of this settlement, CalMat will design several extraction wells and a treatment system for 1,4-dioxane at the site. The design will be completed in 2019. The design and eventual construction of these wells and treatment system will help prevent future groundwater contamination and lead to the cleanup of a critical drinking water source. In addition, the company will monitor on- and off-site groundwater and will complete a remediation system to address contamination on the Hewitt Site under an existing order with the State of California.
- The Los Angeles Department of Water and Power (LADWP) produces groundwater for public distribution from seven wellfields near or within the NHOU. Several wells with excessive levels of 1,4-dioxane have been removed from service and alternate sources have been used to provide drinking water to residents.
- EPA has been working to clean up groundwater contamination in the San Fernando Valley area since the early 1980s when solvent pollution was first discovered. The North Hollywood groundwater treatment system has operated since 1989, removing TCE, PCE, 1,4-dioxane and other volatile organic compounds from groundwater in the North Hollywood area. The site was placed on EPA's Superfund list in 1986.

September 29, 2017 – EPA, Nevada require North Las Vegas to protect local waters

- EPA and NDEP discovered the violations of the City's wastewater permit during a 2014 inspection and issued an administrative order to put the City on a path to compliance.
- The City will comply with the requirements in its Clean Water Act permit and EPA's general pretreatment regulations.
- The agreement resolves a Clean Water Act case which identified deficiencies in the City's wastewater system that left its treatment plant vulnerable to toxic pollutants from industrial wastewater discharges.
- Under the proposed agreement, North Las Vegas will develop, fund and implement an industrial pretreatment program. As part of the proposed settlement, North Las Vegas will pay a penalty of \$192,500 each to the State of Nevada and the federal government.

OCTOBER 2017

October 2, 2017 – Birmingham Zoo Awarded EPA Environmental Education Grant

October 2, 2017 – EPA awards more than \$8.7 million to Guam for water infrastructure projects

October 3, 2017 – EPA Finalizes Plan to Remove Contamination at Superfund site in Gibbsboro, N.J.

- The site is near a former paint manufacturing plant and was used as a paint waste dump.
- Reports indicate that paint wastes and solvents were dumped or poured onto the ground at the United States Avenue site and they were often burned.
- For this phase of cleanup, contaminated soil will be removed and properly disposed of at approved facilities that are licensed to handle the waste. In total, approximately 60,000 cubic yards of contaminated soil will be removed.
- The excavated areas will be backfilled with clean soil, replanted with vegetation, if appropriate, and restored. Contaminated soil beneath United States Avenue Road will remain undisturbed. The asphalt paving and roadbed will act as a cap, preventing exposure.

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- The record of decision also requires excavation of contaminated sediment from White Sand Branch and Honey Run Brook, and a system to temporarily divert the stream will be constructed to access the sediment. In total, approximately 825 cubic yards of contaminated sediment will be removed. The streams will be restored after the excavation.

October 3, 2017 – EPA to start sampling sediment from Lake Linden Beach and Torch Lake in Michigan's U.P.

October 3, 2017 – EPA settles with Big State Logistics for three separate spills on Alaska's Richardson Highway

- Birch Lake – On September 5, 2016, a BSL tanker truck was northbound when a failure of the trailer tongue resulted in the secondary tank overturning into the right-of-way ditch of the southbound lane of the highway. In the process, the secondary tank was punctured in multiple locations and spilled approximately 3,571 gallons of diesel fuel, with most of the product released immediately after the secondary tank rolled over. Later investigation determined that the rollover was caused by a defective coupling device on the secondary tanker trailer ("pup tank"). Equipment change was immediately instituted by the company.
- Tsina River – On October 21, 2016, a BSL fuel tanker truck experienced a loss of traction when the driver was attempting to decelerate in order to pull off the highway into a rest area to remove snow chains. The secondary tank trailer left the roadway, rolling over an embankment and coming to rest in a channel of the Tsina River. The pup tank suffered a puncture and spilled approximately 339 gallons of diesel fuel to a river channel.
- Paxson Lake – On November 12, 2016, a BSL fuel tanker truck lost traction when attempting to stop for wildlife and hunters on the road, causing the tanker trailer to start fishtailing. Once the tanker trailer departed the highway, it released from the hitch due to a safety feature of the hitch. The tanker trailer then rolled and its vapor rail was ruptured, releasing 276 gallons of diesel fuel to the ground, and ultimately some fuel to a 10 ft. by 10 ft. area of lake ice.

October 3, 2017 – EPA finalizes interim record of decision for soils and indoor dust at Colorado Smelter site in Pueblo

- The interim decision includes soil removal and replacement in a three-stage process that involves excavation of contaminated soils, disposal of excavated materials at an appropriate offsite location, and replacement with clean soils down to 18 inches below the surface.
- EPA will continue to engage in a comprehensive, multi-pathway approach with local partners that has been successfully addressing lead exposures at the site since 2015.

October 3, 2017 – EPA to Provide Clean Drinking Water for Residents Impacted by Mansfield Dump Superfund Site in Byram, N.J.

- The Mansfield Trail Dump Superfund site is located near the intersection of the Mansfield bike path and Stanhope-Sparta Road.
- Sludge-like waste was dumped in trenches in the area and has contaminated the groundwater with volatile organic compounds, which are chemicals that easily become vapors or gases.
- The groundwater is used as a source of drinking water by all 19 impacted residences covered under the EPA's water line construction proposal, and by a number of other area residents.
- Vapors from the contaminated groundwater underneath some area homes have seeped into basements.
- The New Jersey Department of Environmental Protection installed systems to reduce the intrusion of chemical vapors into the basements of five of the homes that tested positive for air pollutants.
- In 2012, the EPA removed 11,700 tons of contaminated material from the dump areas.
- EPA has completed the first phase of the investigation into the nature and extent of the groundwater contamination, and evaluated various options for an alternative water supply.
- EPA's record of decision addresses the private drinking water wells impacted by groundwater contamination from the site by calling for a water line to be constructed to connect impacted residents to a permanent alternate water supply.
- Those residents who choose to be connected to the water line will then have their private wells taken out of service.

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- While engineering plans are being developed and the new water line is constructed, carbon water filtration and treatment systems for the existing private wells will continue to be maintained and operated.
- The next phase of the cleanup includes additional investigation of the site-wide contaminated groundwater, which will be addressed by the EPA in a future cleanup plan.
- The cost of this stage of the cleanup is estimated at \$8.7 million.

October 3, 2017 – EPA to Clean up Hazardous Waste Site in Kearny, N.J.

- The site was the former location of a waste oil reprocessing facility from 1946 to 1979. During facility operations oily waste was stored, leaked and discharged directly to adjacent properties, including the wetland area to the south of the site, creating an “oil lake.” Facility operations contaminated soil, sediment, surface water, and groundwater with PCBs, dioxin, volatile organic compounds and other pollutants.
- In 2009, EPA chose a cleanup plan, which included a combination of disposal of contaminated material and bioremediation (the use of microorganisms to consume and break down pollution) to address the contamination. EPA tested the use of bioremediation technology at the site and subsequently determined that it would not provide sufficient long-term protection from the contamination.
- Instead, under today’s amendment to the 2009 cleanup plan, contaminated soil in the area of the former oil lake will be dug up and disposed of at facilities licensed to receive the waste. The excavated areas will then be filled with clean soil. Approximately 49,000 cubic yards of contaminated soil will be removed. This stage of the cleanup is estimated at \$14 million.
- The second component of EPA’s cleanup decision addresses contaminated soil and sediment that are not thought to be major sources of contamination. EPA will excavate and remove two feet of contaminated soil and then cover remaining contamination at the site with two feet of clean fill. Wetland areas would also be excavated to a depth of two feet to accommodate the soil cover. Sediment in the drainage ditch along highway I-280 would be excavated to an approximate depth of 18 inches. Approximately 440 cubic yards of contaminated soil containing PCBs, dioxins and other contaminants, and 800 cubic yards of contaminated sediment would be removed under this plan and transported to facilities licensed to receive the waste. The cost of this stage of the cleanup is estimated at \$10 million. Contaminated groundwater will be addressed by EPA in a future cleanup proposal.

October 3, 2017 – EPA Launches Smart Sectors Program

- A sector-based, collaborative approach provides a significant opportunity for EPA to consider more forward-thinking ways to protect the environment.
- A sector-based approach can provide benefits, such as: increased long-term certainty and predictability, creative solutions based on sound data; and, more sensible policies to improve environmental protection. Program leads for each sector will serve as ombudsmen within the Agency across program and regional offices.
- Staff will also: conduct educational site tours, host roundtables with EPA leadership, analyze data and advise about options for environmental improvement; maintain open dialogue with business partners and their environmental committees; and, develop reports that profile the impact of each sector on the environment and the economy.
- Smart Sectors aims to facilitate better communication and streamline operations internally at EPA.

October 3, 2017 – EPA Finalizes Plan to Address Contamination at Superfund Site in Woolwich Township, N.J.

- Located on Route 322 in Woolwich Township, the site was used as a truck terminal from 1962 to 2001. Previous activities at the 70-acre facility included the cleanup of trucks and tankers used for transporting a variety of materials, including various solvents and petroleum products.
- The investigation and cleanup of the site has been conducted in stages by EPA, the New Jersey Department of Environmental Protection and by parties associated with the property. Prior to EPA’s involvement at the site, the state led efforts that included treating groundwater and removing nine storage tanks used for waste, petroleum and about 255 tons of diesel-contaminated soil.

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- EPA will install underground walls designed to remove volatile organic compounds from the groundwater. As groundwater flows through the walls, they trap harmful contaminants and also make them less harmful. The treated groundwater flows out the other side of the walls.
- In addition, the EPA will remove an area of contaminated sediment along Grand Sprute Run and will remove contaminated soil within a former lagoon area. The excavated sediment and soil will be disposed of at off-site facilities licensed to handle the waste. By cleaning up the groundwater and removing ongoing sources of contamination in the soil and sediment, the remedy also addresses contamination in surface water.
- The EPA estimates the cost of this cleanup will be about \$4 million.

October 4, 2017 – Acushnet, Mass. Company Resolves Clean Water Concerns

- P.J. Keating Company of 72 South Main St. failed to comply with its NPDES permit and EPA's Spill Prevention, Control, and Countermeasure regulations.
- This case stems from a 2016 inspection of the facility conducted to investigate a pattern of discharge permit violations, primarily for total suspended solids and pH.
- The inspection also identified a number of violations of spill prevention regulations, including the failure to have adequate secondary containment for some of its oil storage containers, in order to prevent a discharge of oil.
- Under terms of the settlement, the company has agreed to pay \$140,000.
- The company has already taken steps and continues to implement best management practices in order to return to compliance.

October 4, 2017 – Oregon Department of Environmental Quality awarded nearly \$2 million to protect water quality

October 4, 2017 – EPA Announces Appointment of Cosmo Servidio to Region 3 Administrator

- Cosmo Servidio currently holds the position of director of environmental affairs for the Bucks County Water and Sewer Authority in Pennsylvania.
- Mr. Servidio oversees operations and facility planning to help identify needed improvements to maintain essential water and wastewater services and provides oversight to ensure utilities comply with all state and federal requirements.
- Prior to joining Bucks County Water and Sewer Authority, Mr. Servidio served as regional director for the Pennsylvania Department of Environmental Protection for the Southern Region, where he worked to ensure staff implemented the Department's priorities to improve air quality, waste management, radiation protection, remediation, conservation, safe drinking water, dam safety, and clean water programs.
- Mr. Servidio also served as the chief of staff for EPA's Region 2 headquarters from 2005-2009, where he helped administer federal programs in implementing the Agency's mission in New Jersey, New York, Puerto Rico, and the U.S. Virgin Islands.

October 4, 2017 – EPA awards \$225K to protect, manage and restore wetlands in Wyoming

October 5, 2017 – EPA public hearings on proposal to withdraw proposed Clean Water Act restrictions for Pebble Mine in Alaska's Bristol Bay watershed

October 5, 2017 – Andrew Wheeler Nominated as EPA Deputy Administrator

- Mr. Wheeler has spent his entire career working in environmental policy.
- In addition to spending four years at EPA's Office of Pollution Prevention and Toxics during the George H. W. Bush and Bill Clinton administrations, he also spent many years on Capitol Hill.
- After serving as general counsel to U.S. Senator James Inhofe, he worked as staff director and chief counsel for two Senate Committees with vital roles in protecting human health and the environment: the U.S. Senate Committee on Environment and Public Works (EPW) and the U.S. Senate Subcommittee for Clean Air Wetlands and Nuclear Safety.
- Mr. Wheeler currently works as a principal at FaegreBD Consulting providing guidance on federal regulatory and legislative environmental and energy issues.

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October 5, 2017 – EPA to Discharge Wastewater, Implement Hurricane Response Plan at the Mississippi Phosphates Corporation Site in Pascagoula, Miss., as Tropical Storm Nate Advances

October 5, 2017 – Under EPA settlement, Indiana company will fund lighting and drinking water upgrades at two East Chicago schools

October 5, 2017 – EPA Appoints Doug Benevento As Region 8 Administrator

- Doug Benevento has spent much of his career working to help protect the environment.
- As executive director for the Colorado Department of Public Health and Environment, he managed the state’s environmental and public health programs.
- He previously served as the Department’s director of environmental programs, where he managed the state’s air, water, waste, and consumer protection programs.
- Since 2010, Mr. Benevento has been working on energy and environmental issues in the private sector at Xcel Energy.

October 5, 2017 – EPA awards \$32 million for tribal environmental programs in Alaska and the Pacific Northwest

October 6, 2017 – EPA Administrator Visits with Arizona Governor Doug Ducey

October 6, 2017 – EPA Awards \$240,000 Clean Diesel Grant to Minnesota

October 10, 2017 – EPA Announces Eaton Corporation Has Met Off-Site Groundwater Cleanup Objectives at Kearney, Neb., Facility

October 10, 2017 – EPA awards \$41 million to Washington for critical water projects loans

October 10, 2017 – U.S. EPA awards \$5.2 million to protect and restore San Francisco Bay

October 10, 2017 – EPA provides \$550,000 to Lorain County, Ohio, for water quality projects

October 10, 2017 – EPA Takes Another Step To Advance President Trump's America First Strategy, Proposes Repeal Of "Clean Power Plan"

- Repealing the CPP will facilitate the development of U.S. energy resources and reduce unnecessary regulatory burdens associated with the development of those resources, in keeping with the principles established in President Trump’s Executive Order on Energy Independence.
- The CPP was issued pursuant to a novel and expansive view of authority under Section 111 of the Clean Air Act (CAA).
- The CPP required regulated entities to take actions “outside the fence line.”
- Traditionally, EPA Section 111 rules were based on measures that could be applied to, for, and at a particular facility, also referred to as “inside the fence line” measures.
- Prior to the CPP being issued, every single Section 111 rule on the books, including a handful of existing source rules and around 100 new-source rules, obeyed this limit.
- As the CPP departed from this traditional limit on EPA’s authority under an “inside the fence line” interpretation, EPA is proposing to repeal it.
- EPA has now sent the NPRM to the Federal Register for publication. Upon publication, the public will have 60 days to submit comments. The repeal package includes:
 1. The “preamble,” which lays out the proposed legal interpretation, policy implications, and a summary of the cost-benefits analysis of the proposed repeal; and
 2. The “Regulatory Impact Analysis (RIA),” an in-depth cost-benefit technical analysis.
- The Trump administration estimates the proposed repeal could provide up to \$33 billion in avoided compliance costs in 2030.

October 11, 2017 – EPA Removes the Shpack Landfill Site from the National Priorities List

October 11, 2017 – EPA Awards Tetra Tech Inc. \$85 Million Contract to Assess Navajo Abandoned Uranium Mines

- Tetra Tech will initially assess uranium contamination at 30 abandoned uranium mines in and around the Navajo Nation.

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- The company will also partner with Navajo Technical University (NTU) and local businesses to train Navajo members in professional positions related to assessment and cleanup work.
- In addition, Tetra Tech has committed to procure services and supplies, whenever possible, from Navajo-owned businesses, helping boost the local economy and create jobs.
- During the Cold War, 30 million tons of uranium ore were mined on or adjacent to the Navajo Nation, leaving more than 500 abandoned mines.
Since 2008, EPA has conducted preliminary investigations at all of the mines, remediated 49 contaminated structures, provided safe drinking water to 3,013 families in partnership with the Indian Health Service, and performed cleanup or stabilization work at nine mines.
- In total, EPA has reached enforcement agreements and settlements valued at \$1.7 billion to reduce the highest risks of radiation exposure to the Navajo people from abandoned uranium mines.
- As a result, funding is now available to begin the assessment and cleanup process at 211 of the 523 abandoned uranium mines.

October 11, 2017 – San Jacinto Waste Pits Superfund Site Cleanup Plan Approved

- EPA's cleanup plan includes installing engineering controls such as cofferdams before excavating almost 212,000 cubic yards of dioxin contaminated material for disposal. A small amount of material will stay on the site where controls will prevent access, eliminate off-site migration and monitor the natural recovery into the future. The estimated cost for the remedy is \$115 million and is cost-effective; representing a reasonable value for the cost incurred.
- EPA's final cleanup plan addresses comments on the proposed plan concerning the risk of water spreading dioxin contamination downstream by installing controls such as cofferdams to allow for dry excavation of the waste material. Changes in the construction method will effectively eliminate any potential for spreading contamination to downstream areas. The \$97 million proposed plan outlined wet excavation of material.
- The Superfund site consists of two sets of impoundments, or pits, built in the mid-1960s for disposing solid and liquid pulp and paper mill wastes that are contaminated with polychlorinated dibenzo- p- dioxins (dioxins) and polychlorinated dibenzofurans (furans). In 2011, the impoundments were covered with an armored cap as a temporary way to contain the contaminants.

October 11, 2017 – Administrator Pruitt Addresses National Tribal Operations Committee

- Administrator Pruitt signed a statement reaffirming the principles of the 1984 EPA Indian Policy with National Tribal Caucus Chairman Evaristo Cruz.

October 12, 2017 – EPA announces cleanup plan for former gas plant site in Marinette, Wis.

- EPA announced an estimated \$7.6 million cleanup plan for the Wisconsin Public Service Corp. Marinette Manufactured Gas Plant Superfund site in Marinette, Wis.
- Cleanup includes excavation and disposal of contaminated soil; on-site treatment of contaminated groundwater, monitoring, and restricted use of soil, groundwater, and sediment until cleanup goals are met.
- EPA is currently negotiating with WPSC for the company to design and implement the cleanup under EPA oversight.
- WPSC owned and operated the gas plant from around 1910 to 1960 in a historically industrial area. The plant carbonized coal and carbureted water to form gas used for heat and light. Currently, the site is owned by the city of Marinette and the property houses the city's wastewater treatment plant and public boat launch.

October 12, 2017 – EPA announces plan to clean up PCBs and remove dam at Allied Paper site in Otsego, Mich.

- U.S. Environmental Protection Agency has decided on a plan to clean up contaminated soil and sediment at a portion of the Allied Paper Inc./Portage Creek/Kalamazoo River Superfund site near Otsego, Mich.
- Part of the plan is to remove the Otsego city dam.
- EPA plans to negotiate an agreement to ensure responsible parties pay for and implement the cleanup.
- The "record of decision" is for the cleanup of the 1.9-mile stretch of the Kalamazoo River between the former Plainwell Dam and the Otsego city dam, known as area 2 of operable unit 5 of the Superfund site. The cleanup

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addresses polychlorinated biphenyl, or PCB, contamination in sediment and soil from historic paper recycling operations.

- Starting in the 1950s, several paper mills along the Kalamazoo River and Portage Creek recycled various types of paper stock. This included carbonless copy paper containing PCBs that were released into the mills' waste streams and eventually to the Kalamazoo River. In 1990, the government added the site to the National Priorities List.
- Other components of the cleanup for this portion of the site include realignment of the Kalamazoo River to create a single stable channel; riverbank and floodplain soil excavation; and capping the upstream channel areas that will be cut off from the main channel when the dam is removed.
- Construction activities are anticipated to take five years at an estimated cost of \$46 million.

October 12, 2017 – EPA Appoints Jim Gulliford as Region 7 Administrator

- Mr. Gulliford previously held the position of regional administrator for Region 7 from 2001-2006.
- He most recently held the position of executive director of the Soil and Water Conservation Society where he led the organization from 2009-2016.
- Prior to joining Soil and Water Conservation Society, Mr. Gulliford spent nearly a decade at EPA. From 2006-2009, he served as EPA assistant administrator for the Office of Prevention, Pesticides, and Toxic Substances where he was responsible for helping protect public health and the environment from potential risks of pesticides and chemicals.
- Mr. Gulliford also served as director of the Division of Soil Conservation at the Iowa Department of Agriculture and Land Stewardship for 15 years.

October 12, 2017 – EPA awards \$26 million to Oregon's clean water and drinking water revolving funds

October 12, 2017 – PHOTOS: Administrator Pruitt Visits Mississippi

- Governor Phil Bryant

October 13, 2017 – EPA and States' Collective Efforts Lead to Regulatory Action on Dicamba

- In a series of discussions, EPA worked cooperatively with states, land-grant universities, and the pesticide manufacturers to examine the underlying causes of recent crop damage in the farm belt and southeast.
- Manufacturers have voluntarily agreed to label changes that impose additional requirements for "over the top" use of these products next year including:
 - Classifying products as "restricted use," permitting only certified applicators with special training, and those under their supervision, to apply them; dicamba-specific training for all certified applicators to reinforce proper use;
 - Requiring farmers to maintain specific records regarding the use of these products to improve compliance with label restrictions;
 - Limiting applications to when maximum wind speeds are below 10 mph (from 15 mph) to reduce potential spray drift;
 - Reducing the times during the day when applications can occur;
 - Including tank clean-out language to prevent cross contamination; and
 - Enhancing susceptible crop language and record keeping with sensitive crop registries to increase awareness of risk to especially sensitive crops nearby.
- Manufacturers have agreed to a process to get the revised labels into the hands of farmers in time for the 2018 use season.

October 13, 2017 – EPA awards \$220,000 to City of Duluth to protect coastal wetland habitat

- Duluth will use EPA funding to protect important coastal wetland habitats identified by the Lake Superior Action and Management Plan.
- Funding will support a multi-dimensional analysis that will be used to develop ecological restoration and conservation management plans.

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- Up to 1,300 acres of coastal wetlands and shoreline along nearly 10 miles of the St. Louis River Estuary will be permanently protected.

October 13, 2017 – U.S. EPA Settles with Parties on Cleanup Plan For 68th Street Superfund Site in Rosedale, Maryland

- The U.S. Environmental Protection Agency announced a settlement today with more than 40 parties to clean up hazardous waste contamination at the 68th Street Dump/Industrial Enterprises Superfund Site in Baltimore County, Maryland.
- Under terms of the proposed consent decree filed in federal court in Baltimore, the parties are responsible to finance and perform a \$51.5 million EPA-approved cleanup, perform additional natural resources restoration work, and pay the state and federal natural resource trustees \$490,000 for past and future costs related to natural resource damages. Defendants are also required to pay \$630,000 for an off-site restoration project.
- The 12 parties that are responsible for performing the cleanup include: AAI Corporation; Acme Markets Inc.; AK Steel Corporation; Browning-Ferris, Inc.; Black & Decker (U.S.) Inc.; Brunswick Corporation; ConAgra Grocery Products Company, LLC; Crown Cork & Seal Company, Inc.; CSX Realty Development, LLC; CSX Transportation, Inc.; Exxon Mobil Corporation and Illinois Tool Works Inc.
- Along with these 12 parties, the other remaining parties contributed about \$18.8 million towards the settlement.
- The 68th Street Site encompasses several landfills spread over a 239-acre area in Rosedale, Maryland.
- From the 1950s through the 1970s, these landfills accepted industrial and commercial wastes containing hazardous wastes, which contaminated soil, sediment, groundwater, surface water and wetland areas.

October 16, 2017 – Administrator Pruitt Issues Directive to End EPA "Sue & Settle"

October 16, 2017 – CSU's Colorado Natural Heritage Program receives \$300k in EPA funding to develop tools to protect, manage and restore Colorado wetlands

- The first grant will develop a multi-agency Colorado Wetlands Program Plan to guide state-level wetland protection and management efforts and will create a publically available database of wetlands information to inform restoration and mitigation planning.
- The second grant will inventory significant wetlands in Lake County, located at the headwaters of the Arkansas River.
- The third will fund the development of pocket guides illustrating common wetland plants of Colorado's Southern Rocky Mountains and Plateaus as well as reprint the pocket guide illustrating plants of Colorado's Eastern Plains. This grant will also support professional training sessions on wetland plant identification that will aid professionals in planning restoration projects.

October 17, 2017 – EPA Announces \$2.7M in Grants to Tackle Invasive Species in Wisconsin

October 18, 2017 – EPA awards Idaho almost \$15 million for clean water and drinking water revolving funds

October 18, 2017 – North Pacific Seafoods to reduce air pollution from Naknek facility in settlement with EPA over failure to plan for risks from hazardous chemicals

- The EPA found that since 2014 the company failed to develop and implement a risk management plan to detect and prevent or minimize accidental releases of the cannery's large volume of anhydrous ammonia - a potentially deadly chemical - and to provide a prompt emergency response to any such releases.
- Under the terms of its agreement with the EPA, North Pacific Seafoods will spend approximately \$175,000 on a Supplemental Environmental Project to install a solar power system and upgrade its lighting to LEDs.
- The company will also pay a \$45,743 penalty.

October 19, 2017 – EPA and the State of Colorado release plans to protect water quality, enable land reuse at the Eagle Mine Superfund Site

- The amended Record of Decision finalized for Operable Unit 1 (OU1) at the Eagle Mine Superfund Site adopts site-specific arsenic remedial goals and modifies surface water cleanup levels for cadmium, copper and zinc to meet more recent standards established for the site by the Colorado Water Quality Control Commission in 2008.

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- Water quality monitoring in the Eagle River indicates that these standards for cadmium, copper and zinc are not attained in March and April of most years.
- The OU1 Record of Decision requires institutional controls to protect existing remedial features and expands the current groundwater collection system in Belden and at the mouth of Rock Creek to further reduce metals loading to the Eagle River.
- EPA and CDPHE have also finalized a separate Record of Decision for Operable Unit 3 (OU3) focused on soil remediation necessary to protect human health should future residential development occur.
- EPA created OU3 after a developer purchased a large portion of the Eagle Mine Superfund Site in 2004 with plans to develop the property into a private, residential community.
- The Record of Decision for OU3 includes a combination of the following elements for areas proposed for development: excavating soil; placing a soil exposure barrier; grading the site; placing institutional controls and conducting monitoring; and/or demolishing structures.

October 19, 2017 – EPA Appoints Chris Hladick as Region 10 Administrator

- For the last two years, Mr. Hladick has served as commissioner of Commerce Community and Economic Development for the State of Alaska.
- He previously worked as city manager for Unalaska, Alaska where he was responsible for administering union contracts and oversaw the operating budgets of the city's police, fire and emergency response, public works and utilities departments.
- He also served as city manager of Dillingham, Alaska and Galena, Alaska.
- His passion for protecting the environment extends to his involvement in organizations, such as: the Alaska Arctic Policy Commission, Northern Waters Task Force, and serving on the working group on the Arctic Marine Protected Areas.

October 19, 2017 – EPA awards Colorado \$1.3M to improve and protect Arkansas River water quality

- This grant is given to states to implement environmental programs that address nonpoint source pollution in surface water and groundwater in order to improve and protect water quality.
- Under Colorado's Nonpoint Source Program, a targeted basin approach is used to provide funding for projects across the state.
- Three projects that will address water quality in the lower half of the Arkansas River in Colorado will be funded in 2017.
- The projects will support the continued voluntary efforts by landowners, local stakeholders, and local governments to address excess selenium pollution in the Arkansas River.
- Selenium is naturally occurring, but agriculture practices often increase the natural levels in rivers to levels that can harm human health and the environment.
- EPA's grant will also provide funds to support local watershed planning for two additional river basins and for water quality outreach and education activities.

October 20, 2017 – Administrator Pruitt Meets with Superfund Stakeholders in Texas

October 20, 2017 – EPA awards nearly \$900K in wetlands grants to help grow state and tribal wetland programs in the Pacific Northwest and Alaska

- EPA has awarded funding for 14 projects across the Northwest and Alaska.
- Healthy wetlands perform important ecological functions, such as feeding downstream waters, trapping floodwaters, recharging groundwater supplies, removing pollution, and providing habitat for fish and wildlife.

October 23, 2017 – EPA and Kickapoo Tribe to prevent ground water pollution; EPA awards over \$282,000 to tribe

- The funds will primarily go toward establishing and maintaining adequate measures for prevention and control of surface and ground water pollution from both point and nonpoint sources.
- Funds will also assist the tribe in building core environmental protection program capacities such as Indoor Air, Underground Storage Tanks, Solid and Hazardous Waste management.

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October 23, 2017 – EPA Honors 2017 Green Power Leaders

- Recipients included Amphitheater Public Schools (Tuscon, AZ), Apple, Bainbridge Island (Washington), Capital One, the City of Houston (Texas), Google, Intel, L'Oreal, Microsoft, Lockheed Martin, and University of Missouri.
- The award winners are being recognized for their efforts in expanding the domestic voluntary green power market. From using enough green power to meet 100 percent of electricity needs to signing long-term contracts to enable new green power projects, these organizations are demonstrating leadership by furthering the case for accessible, affordable green power use.

October 23, 2017 – EPA's SmartWay Honors Top Performers in the Freight Industry for Exceptional Supply Chain Efficiency

- The Award honors the top 1 to 2 percent of SmartWay partners that reduce their operational costs through gains in freight efficiency, mitigating their transportation environmental footprints by using less energy and cleaner technologies to move goods across America.

October 23, 2017 – PHOTOS: Administrator Pruitt Visits Agriculture Leaders in Tennessee

- Governor Bill Haslam

October 24, 2017 – EPA awards Utah \$2.3M to reduce diesel emissions along the Wasatch Front

- Utah DEQ will use the EPA clean diesel grant to replace short and long-haul diesel trucks with current model year vehicles that have the most stringent emissions standards available at the time of replacement.
- In addition, several diesel school buses will be replaced with current model year school buses powered by clean diesel, low-NOx, compressed natural gas engines or propane.

October 25, 2017 – EPA Announces Settlement with Macy's over Hazardous Waste Violations

- In addition to correcting violations, Macy's will also develop a program with the capacity to train 400 retailers in Oklahoma and Texas, and conduct third-party audits at 11 of its largest facilities within Texas, Oklahoma, Louisiana and New Mexico, among other required actions.
- The company will also pay a \$375,000 civil penalty within 30 days of the effective date of the settlement, and must comply with all other requirements within one year.
- EPA enforcement staff found Macy's had violated the Resource Conservation and Recovery Act (RCRA), the federal law that regulates hazardous and solid wastes, for several periods during 2012-2015. During these times, each Macy's store identified in the settlement generated thousands of pounds of hazardous waste to qualify as a small-quantity generator but failed to notify EPA and state authorities. Macy's also failed to meet the conditions for small-quantity generator status and did not complete appropriate manifests. Overall, Macy's generated more than 269,168 pounds of hazardous waste from 2012-2015 for the 44 locations identified in the settlement.

October 25, 2017 – EPA Awards \$25K Grant to Lewiston, Maine Non-profit for Indoor Air Quality Efforts

- Healthy Androscoggin received the funds from EPA's Healthy Homes program for a program that will reduce the negative health effects posed by poor indoor air, specifically targeting refugees and immigrants in public housing.
- The program, called "Expanding Innovative Healthy Homes Education for Immigrants and Refugees in Lewiston-Auburn," plans to use the funding to expand their class offerings to include education on environmental health hazards in the home as well as create lessons tailored to their immigrant and refugee populations.
- The group plans to build on its current lead poisoning prevention course and create a new curriculum, which includes indoor air quality and asthma triggers in indoor environments, strives to improve indoor air quality in public housing for immigrant populations in the region.

October 25, 2017 – EPA Releases Energy Independence Report**October 25, 2017 – Top EPA Presidential Nominees Approved By Senate EPW Committee****October 26, 2017 – City of Topeka, EPA Region 7 Celebrate Grant for Riverfront Redevelopment Project**

- EPA cleanup and assessment grants help provide communities with resources necessary to determine the extent of site contamination, remove environmental uncertainties, and clean up contaminated properties where needed.

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- Brownfield site assessments near the Kansas River, supported by the grant, will serve as an initial step toward redeveloping vacant and unused properties, transforming them to productive reuse that will benefit the community and local economy.

October 26, 2017 – EPA Completes Review of Michigan State Drinking Water Program

- In its report, EPA recommends that the state increase both funding and staffing resources, improve electronic data reporting and management, and ensure Michigan's program appropriately implements and complies with all aspects of the Safe Drinking Water Act.
- Michigan has already taken a number of key steps to address these issues, including hiring staff to enhance technical capability, revising lead and copper sampling protocol, and establishing a peer review process for systems that are planning to change water sources or treatment protocols.
- EPA will continue to work closely with Michigan to help ensure that the recommended steps are taken to improve its drinking water program.
- EPA has already provided Michigan with almost half a million dollars in grants to help improve the state's IT and data tracking systems and stands ready to provide any additional assistance needed.
- As part of these efforts, EPA is particularly focused on improving Flint's drinking water system. Last month, EPA issued a letter to the City of Flint and the Michigan Department of Environmental Quality requesting information and action in three areas: sufficient staffing at the Flint Public Water System; completing a corrosion control study on Flint's current water source; and documenting a formal agreement and decision for access to GLWA water after September 30.

October 26, 2017 – EPA Launches Air Quality Study in Kansas City, Kan., Neighborhoods

- The study enables EPA to provide air quality information to the community and its residents, and will advance air monitoring technology for use by other states and communities.
- The research is designed to measure and monitor air quality and is not a health study to evaluate health effects from any observed air pollution.
- The study will be conducted for one year.
- A citizen science project is part of the study, and will involve area residents and students in air measurement activities.

October 26, 2017 – EPA Provides Support to New Jersey for Program to Cut Diesel Emissions

- NJDEP will use the EPA funds to install emissions controls, such as diesel particulate filters and selective catalytic reduction emission control devices, or replace older equipment with new, cleaner equipment to cut harmful diesel pollution from off-road equipment.

October 26, 2017 – EPA Releases Guidance on Reporting Air Emissions of Hazardous Substances from Animal Waste at Farms

- On December 18, 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substances from animal waste.
- On April 11, 2017, the DC Circuit Court vacated this final rule.
- In response to a request from EPA, the DC Circuit Court extended the date by which farms must begin reporting these releases to November 15, 2017.
- Unless the court further delays this date, all farms (including those previously exempted) that have releases of hazardous substances to air from animal wastes equal to or greater than the reportable quantities for those hazardous substances within any 24-hour period must provide notification of such releases.

October 27, 2017 – EPA Grant Helps Protect Vermont Residence from Radon Exposure

- The Vermont Department of Health received funds to provide long term test kits for homeowners, and to promote radon-resistant construction techniques in new buildings and renovations.
- The project will also offer technical assistance for assessing and reducing radon in schools.
- The State of Vermont matches the federal award with 40 percent state funding to support actions in the state's approved work plan.

*Green=Meetings w/ Elected Officials Orange=Regional Red=Regulatory, Deregulatory, or Policy Action/Administrator Initiatives
Blue=Executive Order Purple=Speaking Engagement Light Blue=Superfund Pink=Hurricane Response*

- The State of Vermont's Radon Program provides free long-term radon testing kits to the general public and provides referrals for radon mitigation contractors as well as assistance with school radon testing.
- In the coming months, Vermont will: increase the number of homes and buildings tested for radon; promote the installation of systems to reduce radon in homes and buildings; encourage radon-resistant new construction techniques and work with partners who will support radon risk reduction goals.

October 30, 2017 – EPA Announces Selections for 2017 Environmental Justice Small Grants

- Awarded to 36 local-based community and tribal organizations working to address environmental justice (EJ) issues in their communities.
- The 2017 grants will help organizations in 30 states and Puerto Rico to carry out projects that will: educate residents about environmental issues that may impact their health; collect data about local environmental conditions; and work collaboratively to address environmental justice challenges in their communities.
- The grants not only support activities that address a range of community concerns, but also activities that educate and empower youth and the next generation of leaders in STEM-related job sectors and environmental stewardship.
- Specific grant projects will focus on: reducing exposure to lead and other water pollutants; developing green infrastructure and sustainable agriculture projects; implementing basic energy efficiency measures in low-income households; and increasing overall community resiliency.
- In an effort to increase outreach to affected communities in U.S. states and territories, the 2017 EJSJG program placed special emphasis on proposals from under-represented states that have been awarded three or fewer EJSJGs over the last five years.

*Green=Meetings w/ Elected Officials Orange=Regional Red=Regulatory, Deregulatory, or Policy Action/Administrator Initiatives
Blue=Executive Order Purple=Speaking Engagement Light Blue=Superfund Pink=Hurricane Response*

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 10/24/2017 12:01:23 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Konkus, John [konkus.john@epa.gov]
Subject: FW: 10/24 issues
Attachments: 8.3 issues (002) (002) (003) (002) (002) (003) (002) (003) (003) (003) (002) (002) (003) (005) (003) (002) (003) (002) (004) (002) (002) (002) (003).docx

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From: Block, Molly [block.molly@epa.gov]
Sent: 2/8/2018 1:59:04 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]
Subject: FOR APPROVAL: EPA News Highlights 2.8.18

EPA News Highlights 2.8.18

Daily Signal: I'm From a Family of Farmers. Here's What Trump Has Done for Our Industry

In the first year of his presidency, Donald Trump came through on his promise to support rural Americans and agriculture. Unfortunately, many news outlets didn't give due attention to these accomplishments. During President Barack Obama's tenure, the so-called "Waters of the United States" rule had been strictly defined to apply to "navigable waterways" but interpreted to mean that even ditches or potholes with water in them could be regulated by the Environmental Protection Agency. This was a huge overreach by the federal government. Thankfully, Trump signed an executive order to rescind the Waters of the United States rule and give farmers back more power over their own property.

E&E News: Wheeler Shifts Course on Endangerment Finding

The nominee to be U.S. EPA's No. 2 has changed how he talks about the agency's endangerment finding for greenhouse gases. Andrew Wheeler, whose nomination passed out of the Senate Environment and Public Works Committee for a second time on a party-line vote yesterday, told Delaware Sen. Tom Carper in a meeting that the endangerment finding has been legally settled, according to Carper, the top Democrat on the committee. "[Wheeler] assured me that he views EPA's legal authority to regulate greenhouse gas emissions, which is based on the endangerment finding, is settled law," Carper said in his opening statement ahead of the committee vote.

Politico Morning Agriculture: Another Voice in the Dicamba Battle

The state's recently confirmed ban on dicamba for the 2018 growing season has turned into its own "Real Housewives Battling Pigweed" reality show. It includes the filing of two lawsuits — one by Monsanto and another by a half dozen local farmers — as well as suspicion about why an expert was being flown by private jet to support the ban. Now, Perry Galloway who is part of the farmer's lawsuit against the ban, described his challenges to Pro Ag's Christine Haughney. Plenty of farmers want to use dicamba: Galloway, who grows soybeans on 5,000 of his 8,500-acre farm for export to China, argues that plenty of Arkansas farmers depend on the weedkiller dicamba.

Agri-Pulse: Farmers, Ranchers Call for Regulatory Relief at Senate Hearing

Farmers and ranchers told a key Senate committee Wednesday to loosen the federal government's regulatory reins so they can be competitive in today's marketplace. Livestock producers occupied two of the five seats at the witness table in the hearing room. Arguably their biggest concern is a requirement that they report their manure emissions under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) — a concern that was partially addressed last week when a federal appeals court gave the Environmental Protection Agency until May 1 to come up with guidance and a streamlined reporting form to help livestock operators estimate and report emissions.

National News Highlights 2.8.18

Politico: Congressional leaders Reach Budget Deal

Congressional leaders on Wednesday clinched a two-year deal to lift strict budget caps on defense and domestic spending, likely putting an end to a series of short-term spending bills and shutdown fights that have defined Washington the past few months. The deal is expected to increase defense and domestic spending by roughly \$300 billion over two years, according to administration and congressional sources, as well as lift the debt ceiling through the election and include tens of billions of dollars in disaster aid.

LA Times: Senate Leaders Announce Two-Year Budget Deal to Fund Government, Disaster Aid

A sweeping two-year budget deal announced by Senate leaders Wednesday promises to end the shutdown threats that have plagued Congress, but fails to address the unresolved issue of immigration and will add to a deficit already ballooning from the GOP tax cut plan. Approval of the \$300-billion bipartisan accord was not guaranteed, with votes expected on Thursday. House Minority Leader Nancy Pelosi (D-San Francisco) seized the House floor for nearly the entire day in a filibuster-like talkathon to demand protections for young immigrants known as Dreamers.

NBC News: Russians Penetrated U.S. Voter Systems, Top U.S. Officials Says

The U.S. official in charge of protecting American elections from hacking says the Russians successfully penetrated the voter registration rolls of several U.S. states prior to the 2016 presidential election. In an exclusive interview with NBC News, Jeanette Manfra, the head of cybersecurity at the Department of Homeland Security, said she couldn't talk about classified information publicly, but in 2016, "We saw a targeting of 21 states and an exceptionally small number of them were actually successfully penetrated."

TRUMP TWEETS

The Daily Signal

<http://dailysignal.com/2018/02/07/family-of-farmers-what-trump-has-done-for-our-industry/>

I'm From a Family of Farmers. Here's What Trump Has Done for Our Industry

By Micaela Wright, 2/7/18

In the first year of his presidency, Donald Trump came through on his promise to support rural Americans and agriculture. Unfortunately, many news outlets didn't give due attention to these accomplishments.

Agriculture is a very important industry, and the changes that Trump has made have helped ease the burden of too much regulation on our farmers.

As a young agriculture professional myself, I would like to laud the president for his stance on burdensome regulations on the agriculture industry.

During President Barack Obama's tenure, the so-called "Waters of the United States" rule had been strictly defined to apply to "navigable waterways" but interpreted to mean that even ditches or potholes with water in them could be regulated by the Environmental Protection Agency. This was a huge overreach by the federal government.

Thankfully, Trump signed an executive order to rescind the Waters of the United States rule and give farmers back more power over their own property.

Trump also is challenging an important ruling on the reporting of livestock emissions. Livestock farmers would be required to report emissions of greenhouse gases coming from livestock waste.

For many years, farms have been exempt from the 1980 Comprehensive Environmental Response, Compensation, and Liability Act, which required those emissions to be reported. The exemption was allowed because tracking emissions is nearly impossible and because there's no apparent hazard to the public.

Unfortunately, the Court of Appeals for the District of Columbia Circuit disagreed and ruled that farms cannot be exempt. Trump is supporting the agriculture industry and protecting it from unnecessary regulations by challenging this ruling. Livestock farmers should be grateful for the support of the president.

As Trump continues to roll back unnecessary regulations from the Obama administration, there is one more that should be recognized.

The EPA under Obama banned a commonly used insecticide that had been approved by its own science advisory panel. That insecticide, chlorpyrifos, is the most commonly used insecticide by agriculture, and a ban would significantly affect the industry.

Thankfully, Trump's EPA administrator, Scott Pruitt, lifted the ban as they continue to ensure that the product is safe for use as an insecticide.

This is another major win for agriculture and for rural America, and it deserves to be celebrated. Trump has proven in his first year as president that he's listening to farmers and understands the burdens of regulation.

There's still much work to be done with what we hope will be a new farm bill this year that will assist the agriculture industry, but as someone who works in agriculture, I am appreciative of the progress made thus far by this presidency.

E&E News

<https://www.eenews.net/climatewire/2018/02/08/stories/1060073255>

Wheeler Shifts Course on Endangerment Finding

By Niina Heikkinen, 2/8/18

The nominee to be U.S. EPA's No. 2 has changed how he talks about the agency's endangerment finding for greenhouse gases.

Andrew Wheeler, whose nomination passed out of the Senate Environment and Public Works Committee for a second time on a party-line vote yesterday, told Delaware Sen. Tom Carper in a meeting that the endangerment finding has been legally settled, according to Carper, the top Democrat on the committee.

"[Wheeler] assured me that he views EPA's legal authority to regulate greenhouse gas emissions, which is based on the endangerment finding, is settled law," Carper said in his opening statement ahead of the committee vote.

Wheeler has criticized the finding in the past.

The principal at Faegre Baker Daniels is quoted on the law firm's website suggesting in 2010 that the finding was vulnerable to legal challenges, since it was mainly based on the 2007 U.N. Intergovernmental Panel on Climate Change (IPCC) report.

"[T]he fact is that this undermines their legal position as the Endangerment Finding is challenged in the courts," Wheeler said.

He suggested that a potential "silver bullet" to overturn the finding at the time was a pending "resolution of disapproval" for the endangerment finding from Sen. Lisa Murkowski (R-Alaska). According to Wheeler, that resolution would have had the effect of taking away EPA's authority to regulate greenhouse gases under the Clean Air Act and allow the United Nations to independently review its science.

It would "allow legislators to craft sensible energy policy that can promote energy independence without killing our domestic production of fossil fuels. It also allows EPA to reconsider its Endangerment Finding without almost exclusively relying upon the IPCC," Wheeler said.

The Senate blocked the Murkowski resolution from coming to a vote in June 2010. At the time, the Alaska senator acknowledged it had little chance of passing ([E&E News PM](#), June 10, 2010).

The legal landscape has changed since 2010.

In 2012, the U.S. Court of Appeals for the District of Columbia Circuit upheld the endangerment finding in the case *Coalition for Responsible Regulation v. EPA*, according to David Doniger, senior director of the Natural Resources Defense Council's Climate and Clean Air Program.

The Supreme Court subsequently declined to review cases about whether greenhouse gases are harmful to human health and welfare in 2013 and 2014, he added.

Wheeler's current views on the subject are a point of particular interest, as EPA Administrator Scott Pruitt has been under pressure to undo the EPA finding, which would effectively gut the scientific foundation for regulating greenhouse gases at the agency. Wheeler has lobbied for one of the proponents of undoing the finding, Bob Murray, CEO of Murray Energy Corp.

Carper said he has received direct assurances from Wheeler that he was not involved in writing Murray's list of priorities for the Trump administration, which included undoing the endangerment finding ([Greenwire](#), Jan. 10).

"I have no reason to doubt Mr. Wheeler's assurances that at least on the question of the endangerment finding, he holds a view that is distinct from Bob Murray's," Carper said.

Carper raised concerns that Pruitt was far less clear about where he stood on the endangerment finding and had refused to commit to keeping it in place.

"Last week, Administrator Pruitt was given the opportunity to say that he does not plan to do each and every thing that Mr. Wheeler's former client Bob Murray asked the Trump administration to do. Unfortunately, he did not seize that opportunity," Carper said.

Instead, Pruitt told the Environment and Public Works Committee at its oversight hearing that there had been no determination yet on whether to open up the endangerment finding for review.

While Democrats may be heartened by Wheeler's response on the endangerment finding, it also closely mirrors Pruitt's own statements on the endangerment finding during his confirmation process last year.

Pruitt then assured senators that he would stick to court decisions that required him to regulate greenhouse gases ([Climatewire](#), Jan. 19, 2017).

Politico: Morning Agriculture

<https://www.politicopro.com/newsletters/morning-agriculture/2018/02/cotton-dairy-provisions-slide-into-budget-deal-097108>

Another Voice in Arkansas Dicamba Battle

By Sabrina Rodriguez, 2/8/18

The state's recently confirmed ban on dicamba for the 2018 growing season has turned into its own "Real Housewives Battling Pigweed" reality show.

It includes the filing of two lawsuits — one by Monsanto and another by a half dozen local farmers — as well as suspicion about why an expert was being flown by private jet to support the ban. Now, Perry Galloway who is part of the farmer's [lawsuit](#) against the ban, described his challenges to Pro Ag's Christine Haughney.

Plenty of farmers want to use dicamba: Galloway, who grows soybeans on 5,000 of his 8,500-acre farm for export to China, argues that plenty of Arkansas farmers depend on the weedkiller dicamba.

He said that 330 Arkansas farmers with 1.33 million crop acres had signed a petition asking that they be able to use dicamba until May 25 — later than the ban as of April 16 that the Arkansas Plant Board approved last year. The board put the ban in place after complaints that dicamba vaporized and drifted into other crops, damaging them.

As [MA reported recently](#), Ed Fryer, chief executive of Ozark Mountain Poultry, flew Richard K. Zollinger, a retired North Dakota State University professor, in for a decisive plant board meeting on his turboprop plane because he wanted non-GMO soybeans for his chicken feed.

Galloway contended that Ozark Mountain Poultry purchased just 1 million of the 160 million bushels grown in the state and did not represent most farmers in Arkansas. (Fryer responded that his company purchases 5 million bushels.)

Looking to responsible farmers: Galloway who has received plenty of local accolades for his high-performing crops, said that despite all of the problems in 2017 with dicamba, the state of Arkansas still broke yield records last year. And farmers know it doesn't work well when it gets too hot.

"The vast majority of farmers realize there's issues with the herbicide and it's probably temperature related," said Galloway. "The hotter it gets, the more the herbicide leaves its intended product and possibly floats around and tends to get on other crops."

He adds he can't afford — or even find — the manual labor to clear out pigweed as well as Monsanto's product did. He looked at an alternative herbicide called LibertyLink but called it "not a good option" because "the yield is probably up to 20 percent less."

Agri-Pulse

<https://www.agri-pulse.com/articles/10580-article-headline>

Farmers, Ranchers Call for Regulatory Relief at Senate Hearing

By Steve Davies, 2/7/18

Farmers and ranchers told a key Senate committee Wednesday to loosen the federal government's regulatory reins so they can be competitive in today's marketplace.

"For far too long, the people who feed, clothe, and house our nation have been burdened by policies that fail to reflect on-the-ground realities," Environment and Public Works Committee Chairman John Barrasso, R-Wyo., said at the outset of the hearing.

Ranking member Tom Carper, D-Del., said some environmental programs, such as the Renewable Fuel Standard, have created opportunities, but acknowledged that "sometimes environmental requirements can be complex and confusing to those who farm."

Livestock producers occupied two of the five seats at the witness table in the hearing room. Arguably their biggest concern is a requirement that they report their manure emissions under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) — a concern that was partially addressed last week when a federal appeals court gave the Environmental Protection Agency until May 1 to come up with guidance and a streamlined reporting form to help livestock operators estimate and report emissions.

Referring to CERCLA and the Emergency Planning and Community Right-to-Know Act (EPCRA), rancher Niels Hansen of Rawlins, Wyo., said in written testimony that "Congress never intended these laws to govern everyday farm and ranch activity."

Unless Congress passes legislation before May 1, "nearly 200,000 farmers and ranchers will be on the hook to report low-level livestock manure odors to the government," Hansen said.

Relief may be in sight. Senators Deb Fischer, R-Neb., and Joe Donnelly, D-Ind., are expected to introduce a bill this week that would exempt all animal feeding operations from CERCLA and all but the largest from EPCRA — just as EPA had originally done when it issued the emissions regulations in 2008.

Those regs were overturned by the D.C. Circuit Court of Appeals last year, but the court has now delayed the effective date of its ruling three times.

Delaware Secretary of Agriculture Michael Scuse told the committee in written testimony that "the uncertainty and continuation of deadline extensions surrounding CERCLA has caused confusion for producers in the state and there is a

need for a legislative fix. We cannot keep putting farmers on notice, wondering when they will be hit with legal liability for untimely or inaccurate reporting.”

No hearing on regulations and agriculture would be complete without discussion of the “waters of the U.S.,” or WOTUS, rule. Zippy Duvall, president of the American Farm Bureau Federation, told the committee that farmers need regulatory certainty and that AFBF is looking forward to continue working with EPA to develop common-sense rules.

The Trump administration has decided to extend the effective date of the 2015 WOTUS rule until Feb. 6, 2020 so it can develop a replacement, but the delay prompted a lawsuit by 10 states and the District of Columbia, which alleged that EPA and the Army Corps of Engineers provided inadequate public notice and insufficient support in the record for their decision.

Not all the talk was of scrapping regulations. National Farmers Union Vice President Donn Teske, president of the Kansas Farmers Union, said it would be “irresponsible” to throw out all regulations, but added that WOTUS “wasn’t prepared right, it wasn’t introduced right” and needed to be redone.

Other concerns expressed by the panelists:

Duplicative regulations: The ag community has been pushing for years to get Congress to eliminate Clean Water Act permit requirements for aquatic application of pesticides, which are already subject to regulation under the Federal Insecticide, Fungicide, and Rodenticide Act. Said Duvall in his written testimony: “State water quality agencies repeatedly have testified that these permits provide no additional environmental benefits, that they simply duplicate other regulations and impose an unwarranted resource burden on their budgets.”

Endangered Species Act: Farmers, and especially ranchers, have complained for years about what they see as the “abuse” of the ESA, as Hansen put it in his testimony. He urged “modernization” along the lines of recommendations put forth by the Western Governors Association, which called for a larger role for states in implementation of the 45-year-old law.

Drones: Duvall said AFBF is concerned about the privacy and security of data collected by unmanned aircraft systems (UAS’s). “Even if an individual operator follows all the applicable rules, regulations, and best management practices in his or her farming operation, there is still concern that regulatory agencies or one of the numerous environmental organizations that unnecessarily target agriculture might gain access to individual farm data through subpoenas,” Duvall said in his written testimony.

Also testifying was Howard Hill, who represented the National Pork Producers Council. “Producers reject any notion that modern hog farming cannot be conducted in a manner that is responsible and suitable for today’s call for better environmental performance,” he said in his written testimony.

Politico

<https://www.politico.com/story/2018/02/07/government-shutdown-senate-budget-deal-395984>

Congressional Leaders Reach Budget Deal

By Burgess Everett and John Bresnahan, 2/7/18

Congressional leaders on Wednesday clinched a two-year deal to lift strict budget caps on defense and domestic spending, likely putting an end to a series of short-term spending bills and shutdown fights that have defined Washington the past few months.

The deal is expected to increase defense and domestic spending by roughly \$300 billion over two years, according to administration and congressional sources, as well as lift the debt ceiling through the election and include tens of billions of dollars in disaster aid.

"This bill is the product of extensive negotiations among congressional leaders and the White House. No one thinks this bill is perfect. But we worked hard to find common ground and stay focused on serving the American people," Senate Majority Leader Mitch McConnell (R-Ky.) said in announcing the agreement.

"The budget deal doesn't have everything Democrats want. It doesn't have everything the Republicans want. But it has a great deal of what the American people want," said Senate Minority Leader Chuck Schumer (D-N.Y.). "After months of legislative logjams, this budget deal is a genuine breakthrough."

The Senate is expected vote on the pact on Thursday, according to Senate Majority Whip John Cornyn (R-Texas). It's likely to pass easily, but House approval will be a tougher lift.

And though President Donald Trump suggested that the government could shut down without action on immigration, a top White House aide signaled that Trump supports the bill.

"I'm not going to say every piece of it. But obviously, we're excited about the defense numbers," said Marc Short, the White House legislative director.

Trump tweeted in support of the deal a few hours later.

"The Budget Agreement today is so important for our great Military," he wrote. "It ends the dangerous sequester and gives Secretary Mattis what he needs to keep America Great. Republicans and Democrats must support our troops and support this Bill!"

The agreement would increase defense spending this year by \$80 billion and domestic spending by \$63 billion beyond strict budget caps, according to a summary of the deal obtained by POLITICO. Next year, defense spending would increase by \$85 billion and domestic funding by \$68 billion beyond the caps. The deal also includes \$140 billion for defense and \$20 billion for domestic in emergency spending over two years.

A plan to lift the debt limit, which requires action in the coming weeks, and whether to extend expiring tax provisions were among the few outstanding issues that could be attached to the deal, according to aides in both parties familiar with the talks. Sen. Roy Blunt (R-Mo.) said the debt ceiling is likely to be suspended through next March in tandem with the budget deal. Cornyn said nearly \$90 billion of disaster aid for wildfires and hurricane damage will also be included.

For such a large package to be passed before funding expires, all 100 senators will need to agree to speedy action on the spending bill and budget package. Any one senator can object to moving forward and derail the leaders' plan, though McConnell said it is unlikely that the budget deal would fall apart at this late stage.

Sen. Rand Paul (R-Ky.), who opposes the deal, said he hasn't decided whether he would deny a swift vote — and potentially cause a government shutdown.

McConnell briefed the Senate GOP on the contours of the deal at a party lunch Wednesday, and House Speaker Paul Ryan (R-Wis.) also read in his members across the Capitol. Both GOP leaders faced pushback, but allies exuded confidence the budget deal will be on Trump's desk by Thursday evening.

"The House, and Republicans in the Senate and some Democrats in the Senate, are totally committed to increasing defense. And you weren't going to increase defense successfully without a big increase in nondefense," Blunt said.

"I've got mixed feelings," said Sen. John Kennedy (R-La.). "This has been a hard-fought negotiation. I think our leadership really worked hard. It's obviously not our leadership's first preference, but we had to work it out with the other side."

Support from GOP defense hawks, especially in the House, will be critical in passing the bill. Senate Armed Services Chairman John McCain (R-Ariz.) — at home in Arizona while being treated for brain cancer — and House Armed Services Chairman Mac Thornberry (R-Texas) came out strongly in support of the package.

"This budget agreement is indispensable for our national security," the two Republicans said in a joint statement. "Without it, our military would not be able to defend our nation, as Secretary of Defense Jim Mattis and our military leaders have repeatedly warned."

However, the negotiations hit a major snag on Wednesday: House Minority Leader Nancy Pelosi (D-Calif.) said she cannot support any budget agreement without a commitment from Ryan to vote on an immigration bill to protect immigrants covered under the Deferred Action for Child Arrivals program.

Still, McConnell and Schumer are bullish about success. The two Senate leaders, along with Ryan and Pelosi, have been engaged in high-level spending talks for weeks.

If all goes according to plan, the Senate will amend a short-term spending bill passed by the House to include the deal to lift strict budget caps and send the package back for the House's approval before a Thursday night deadline to fund the government. House Democrats moved their annual retreat from Maryland's Eastern Shore to the U.S. Capitol in anticipation of having to vote on the Senate plan.

Hard-line GOP conservatives in the House Freedom Caucus oppose the deal, which means Ryan will need some votes from Pelosi. But many Republicans are expected to back it.

"There's substantial support within our caucus. So I don't think we'll need that many Democrat votes," said Rep. Hal Rogers (R-Ky.).

Pelosi is facing pressure from some of rank-and-file members — as well as from progressive groups — to reject a budget caps agreement unless Trump and the Republicans agree to a legislative fix for Dreamers. After surveying her caucus, she implored Ryan on the House floor to "Let Congress work its will. What are you afraid of?"

"Without a commitment from Speaker Ryan comparable to the commitment from Leader McConnell, this package does not have my support," Pelosi said. McConnell promised to hold a floor debate on various Dreamers proposals later this month as long as the government remains open.

Ryan has said he would bring up a Dreamers deal if Trump signs off on it.

"We've been very clear about this," Ryan said at a news conference earlier this week. "We will take a bill that the president supports."

Republicans said privately they were not going to overreact to Pelosi's comments, even as she held the House floor for hours demanding action for Dreamers. Pelosi and her aides have been part of the budget caps negotiations from the start, and no deal will occur unless all four party leaders on the Hill support any agreement and work to pass it.

On Tuesday, Schumer said he and Pelosi are aligned strategically on moving forward, potentially defusing another government shutdown.

And many Democrats and Republicans will find relief in a break from budget brinkmanship and in boosting domestic programs and defense spending. The House passed a bill Tuesday funding the government until March 23, which would allow Congress to write a new spending bill for the rest of the year at levels set by the emerging budget deal, potentially avoiding more shutdown fights in an election year.

Though Democrats were unable to secure complete parity in domestic spending alongside the big boost in military dollars, they were quick to note the agreement includes \$20 billion for infrastructure, \$5.8 billion for child care and \$6 billion to fight opioid addiction. The bill also includes a two-year extension of expired Community Health Centers funding and a 10-year extension of Children's Health Insurance Plan funding.

Separately, Schumer and McConnell have been discussing how the Senate will handle a debate on immigration to protect immigrants under DACA from deportation. While House Democrats had been pushing Senate Democrats to clinch a DACA deal in tandem with the budget, there is little hope of a deal on immigration this week.

All McConnell would promise is a wide-ranging floor debate to begin next week.

LA Times

<http://www.latimes.com/politics/la-na-pol-congress-shutdown-20180207-story.html>

Senate Leaders Announce Two-Year Budget Deal to Fund Government, Disaster Aid

By Lisa Mascaró, 2/7/18

A sweeping two-year budget deal announced by Senate leaders Wednesday promises to end the shutdown threats that have plagued Congress, but fails to address the unresolved issue of immigration and will add to a deficit already ballooning from the GOP tax cut plan.

Approval of the \$300-billion bipartisan accord was not guaranteed, with votes expected on Thursday. House Minority Leader Nancy Pelosi (D-San Francisco) seized the House floor for nearly the entire day in a filibuster-like talkathon to demand protections for young immigrants known as Dreamers.

In her eight hour, seven-minute speech — a House record — Pelosi said she would reject the budget deal unless Speaker Paul D. Ryan (R-Wis.) agrees to consider legislation to protect them from deportation, as Senate Majority Leader Mitch McConnell (R-Ky.) has done in the Senate.

If passed, the deal, which would also lift the nation's debt limit for a year, would push ugly partisan fights over government spending well past the November midterm elections. Theoretically it would allow Congress to focus on more substantive issues, like immigration and infrastructure. It would be the first multiyear, bipartisan budget deal reached since 2015.

Negotiators are hoping to include the accord in what would be the fifth — and possibly final — short-term continuing resolution of this fiscal year. That extension would fund the government past Thursday's deadline until March 23, after which legislation with funding at the new levels, a so-called omnibus bill, would need to be approved.

The agreement circumvents the strict budget caps imposed under a 2011 budget deal, and adds \$57 billion in new spending equally to both defense and non-defense accounts through fiscal 2019, according to those familiar with the talks. Republicans have been pushing for the military increases, and Democrats insist on parity for domestic programs.

The result would be a boost to defense of about \$80 billion each year beyond what the current law allows, rising to \$647 billion by fiscal 2019. Non-defense accounts would increase by more than \$60 billion, to \$597 billion by 2019.

The package also includes \$90 billion in supplemental disaster aid spending for hurricanes and wildfires that ravaged coastal and Western states, and Puerto Rico — more than had been suggested earlier in a House bill but not as much as California and others sought.

Unlike the past agreements to avoid the steep sequester cuts in 2013 and 2015, the deal announced Wednesday would only be partially offset with spending reductions or new revenue elsewhere, making it a nonstarter for many conservative Republicans — especially after the GOP tax package added nearly \$1.5 trillion over the decade to deficits.

"No one would suggest it is perfect, but we worked hard to find common ground," said McConnell, adding that defense funds would "ensure that for the first time in years our armed services have more of the resources they need to keep America safe."

Senate Minority Leader Charles E. Schumer (D-N.Y.) touted many Democratic priorities, including a two-year extension of funding for Community Health Centers, a 10-year extension of funding for the Children's Health Insurance Program and money to fight the opioid drug crisis.

"This budget deal is the first real sprout of bipartisanship," Schumer said. "We have reached a budget deal that neither side loves but both sides can be proud of. That's compromise. That's governing."

Pelosi's opposition, though, thrusts the immigration debate back into the budget standoff, much the way President Trump did Tuesday when he said he'd "love to see a shutdown" if his immigration priorities, including a border wall and limits on legal immigration, were not part of the budget package.

"The budget caps agreement includes many Democratic priorities," Pelosi said Wednesday. But after surveying the Democratic caucus, she said the absence of immigration legislation was a deal breaker for some members.

Pelosi wants Ryan to commit — as McConnell did last month as part of the deal to end the three-day government shutdown — to consider bipartisan measures to protect the immigrant Dreamers as Trump ends the Deferred Action for Childhood Arrivals program.

Pelosi seized the House floor in a rare filibuster-like speech that began at about 10 a.m. EST and continued into the evening. Standing in four-inch heels the entire time without a break and surrounded by colleagues, Pelosi gave the longest speech ever heard in the House, shattering the previous record set in 1909.

The Senate is expected to launch an immigration debate in a matter of days, as soon as the shutdown threat is averted.

"Without a commitment from Speaker Ryan comparable to the commitment from Leader McConnell, this package does not have my support," she said.

Ryan, however, has made no such commitment on Dreamers, stoking concerns that any immigration bill would simply languish in the House.

The immigration debate drove the shutdown last month, as Democrats pushed McConnell to agree to prioritize the issue, but it had not been part of more recent budget negotiations, despite Trump's nudging.

Pelosi's support for the budget deal will be vital because Ryan will almost certainly not be able to pass spending increases over objections from his conservative flank, including the Freedom Caucus, without relying on Democratic votes.

The accord includes \$20 billion in new infrastructure spending on transportation, rural broadband and safe drinking water systems, as well as \$5.8 billion for child-care block grants, \$4 billion to rebuild Veterans Affairs hospitals and clinics and \$2 billion for research at the National Institutes of Health, according to those familiar with the details.

It also creates a new Joint Select Committee that is tasked with developing a legislative solution to shore up faltering employer pensions by December.

Dreamers, the immigrants who came to the U.S. illegally as children, risk deportation as Trump ends a program that has allowed them to apply to live and work here. The DACA program was set to end March 5, but a court challenge is allowing it to continue for now.

Lawmakers in both parties say they want to protect the Dreamers as part of a broader immigration bill that would include border security and perhaps other measures, and they believe a bipartisan deal would easily pass both chambers.

However, Ryan is under pressure from conservatives in his majority to stand by his earlier promise not to consider immigration legislation unless it is supported by most of the House Republican majority.

More recently, Ryan has said he would consider legislation that Trump supports, but the president's own shifting views on immigration have made a legislative deal difficult.

"Speaker Ryan has already repeatedly stated we intend to do a DACA and immigration reform bill — one that the president supports," said spokeswoman AshLee Strong.

Bipartisan groups in Congress continue to meet to strike a deal as the Senate prepares to open debate.

NBC News

<https://www.nbcnews.com/politics/elections/russians-penetrated-u-s-voter-systems-says-top-u-s-n845721>

Russians Penetrated U.S. Voter Systems, Top U.S. Official Says

By Cynthia McFadden, William Arkin, Kevin Monahan, 2/8/18

The U.S. official in charge of protecting American elections from hacking says the Russians successfully penetrated the voter registration rolls of several U.S. states prior to the 2016 presidential election.

In an exclusive interview with NBC News, [Jeanette Manfra](#), the head of cybersecurity at the Department of Homeland Security, said she couldn't talk about classified information publicly, but in 2016, "We saw [a targeting of 21 states](#) and an exceptionally small number of them were actually successfully penetrated."

Jeh Johnson, who was DHS secretary during [the Russian intrusions](#), said, "2016 was a wake-up call and now it's incumbent upon states and the Feds to do something about it before our democracy is attacked again."

"We were able to determine that the scanning and probing of voter registration databases [was coming from the Russian government](#)."

NBC News [reported in Sept. 2016](#) that more than 20 states had been [targeted by the Russians](#).

There is no evidence that any of the registration rolls were altered in any fashion, according to U.S. officials.

In a new [NBC News/SurveyMonkey poll](#), 79 percent of the respondents said they were somewhat or very concerned that the country's voting system might be vulnerable to computer hackers.

In January 2017, just weeks before leaving his post, Johnson declared the nation's electoral systems part of the nation's federally protected "critical infrastructure," a designation that applies to entities like the power grid that could be attacked. It made protecting the electoral systems an official duty of DHS.

But Johnson told NBC News he is now worried that since the 2016 election a lot of states have done little to nothing ["to actually harden their cybersecurity."](#)

Manfra said she didn't agree with Johnson's assessment. "I would say they have all taken it seriously."

NBC News reached out to the 21 states that were targeted. Five states, including Texas and California, said they were never attacked.

Manfra said she stands by the list, but also called it a "snapshot in time with the visibility that the department had at that time."

Many of the states complained the federal government did not provide specific threat details, saying that information was classified and state officials did not have proper clearances. Manfra told us those clearances are now being processed

Other states that NBC contacted said they were still waiting for cybersecurity help from the federal government. Manfra said there was no waiting list and that DHS will get to everyone.

Some state officials had opposed Johnson's designation of electoral systems as critical infrastructure, viewing it a federal intrusion. Johnson said that any state officials who don't believe the federal government should be providing help are being "naïve" and "irresponsible to the people that [they're] supposed to serve."

TRUMP TWEETS



Donald J. Trump ● @realDonaldTrump · 3h



Will be heading over shortly to make remarks at The National Prayer Breakfast in Washington. Great religious and political leaders, and many friends, including T.V. producer Mark Burnett of our wonderful 14 season Apprentice triumph, will be there. Looking forward to seeing all!



9.5K



7.6K



41K



Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 10/23/2017 12:29:48 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Konkus, John [konkus.john@epa.gov]
Subject: FW: 10/23 issues
Attachments: 8.3 issues (002) (002) (003) (002) (002) (003) (002) (003) (003) (003) (002) (002) (003) (005) (003) (002) (003) (002) (004) (002) (002) (002) (003).docx

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

Hurricane Maria

Staffing PIO Desk in EOC. Region 2 activated; staff continuing to deploy to Puerto Rico -- 63 in USVI and 85 in Puerto Rico. Superfund site and drinking water issues prominent in the media. Region 2 RA Pete Lopez in Puerto Rico and the USVI all week.

Wildfires in California - FEMA seeking additional PIO/intergovernmental assistance -- OPA/OCIR will coordinate with Region 9

EPA is preparing for field operations in Napa and Sonoma Counties, including assessment, removal and disposal of oil and hazardous materials, as part of the ongoing interagency response to multiple wildfires in Northern California. These efforts will reduce potential threats to public health and safety and allow other agencies to begin removal of solid waste, debris and ash in the impacted areas. EPA's work is initiated under a federal disaster declaration mission assignment, issued on October 18th from the Federal Emergency Management Agency (FEMA), which is coordinating federal support for wildfire operations and recovery. In coming weeks, EPA will develop staging areas for the Sonoma County and Napa County cleanups and will seek access agreements for property where EPA will be working. EPA's response will include removal, consolidation and disposal of hazardous materials from fire-impacted areas.

EPA's response activities also include the following:

- Coordinating and implementing Emergency Support Function 10 (Oil and Hazardous Materials) operations as part of FEMA's Initial Operating Facility (IOF). The IOF is operating out of the State Operations Center in Mather.
- Assisting Sonoma County and California agencies in cleanup operations for a tire fire that had occurred near Highway 37/Lakeville Highway. Cleanup work includes removing contaminated soil and stabilizing the creek bed.
- Coordinating the safe removal, transport and disposal of hazardous and non-hazardous debris with California agencies, FEMA and the Army Corps of Engineers.
- Meeting with tribes that have expressed interest in cleanup efforts. EPA had previously reached out to each tribe to confirm water system impacts and assistance needs; all tribal drinking water systems have been verified as functional.

Pittsburgh, PA -- possible 1431 order within next 10 days

Ryan briefed -- discussion was not around developing a plan, rather the near term actions that can be taken. Develop a short list of the very most important things to do; work with state to address the greatest vulnerabilities. OECA and OW engaged with Region 3. RA Servidio in touch with the state.

Flint Drinking Water - Mayor met with White House

10/17 - Federal court orders the City of Flint to choose a long-term water source in the next seven days, likely meaning the city will remain on Detroit-area water.

BOSC, CASAC, and SAB announcement -- week of 10/23

DAA Yamada briefed yesterday and he provided names of intended appointments as well as those who will be terminated. Also, there are names for chairs of CASAC and SAB. Names have been run through OP. Will be synchronized with policy statement grantees being prohibited from membership on advisory committees. Heads up given to OGC.

Michigan Drinking Water Program Review -- letter to state and press release - check in 10/25

Update: Bob Kaplan talked with MDEQ Director. Bob agreed we would hold off at least until Oct. 25. DEQ director said “All of her folks are in another state at a conference. She has asked for some time to come up to speed, especially if there is anything in the report that might impact the legal proceedings.” In mid-January, 2017 provided the state with a draft report of our findings. Review revealed a number of significant challenges with MI implementation of the drinking water program including an overall lack of resources, as well as inadequate electronic data reporting and data management capabilities. The review also indicates that in Flint, MDEQ should have required corrosion control after the water source switch.

CERCLA/EPCRA Animal Waste Emissions Guidance -- reporting begins November 15, 2017 - package with OMB/interagency review -- coordinating with DOJ - expect to issue week of 10/23

On December 18, 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substances from animal waste. This final rule applied to: Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and Section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA), if the farms stable or confine fewer than a certain number of animals. On April 11, 2017, the DC Circuit Court vacated this final rule. In response to a request from EPA, the DC Circuit Court extended the date by which farms must begin reporting these releases to November 15, 2017. Starting on this date, all farms (including those previously exempted) that have releases of hazardous substances to air from animal wastes equal to or greater than their reportable quantities within any 24-hour period must provide notification of such releases. To assist farmers in calculating and reporting their emissions from animal waste, EPA is releasing guidance prior to the reporting deadline of November 15, 2017. EPA is working with agricultural trade associations and the Farm Bureau to convey the guidance information to owners and operators of farms with livestock.

Portland Harbor Superfund Site -- high media interest -- 10/16 letter from congressional delegation urging EPA to transition from prolonged study phase to active cleanup.

There was a perception of a deadline for finalizing the AOC and concern about EPA consulting with our MOU partners. EPA has clarified with the MOU parties that we have not accepted the August 25, 2017 workplan, the AOC or the SOW. Agency has convened a technical coordination team meeting to discuss issues related to the draft terms of the agreement in principal as of 9/19/17. We have extended the time for the review of all documents.

Clean Power Plan Repeal Proposal - Public Hearing in Charleston, West Virginia

EPA will hold a public hearing on the proposed repeal of the Clean Power Plan (CPP) in Charleston, WV -- likely November 27, 28, 29 and 30. .

Minden, WV -- results to residents on PCB contamination on 10/12 -- press release - open house 10/27-28

EPA Region 3 provided residents sampling results from its investigation in Minden, WV, near the Shaffer Equipment Company site, to determine if PCB contamination may have spread from the site that was previously capped by EPA in 2002. EPA performed the recent investigation in response to recent resident concerns. The results indicate that the cap has limited the spread of PCBs.

Shaffer Equipment Site and surrounding area in Minden, WV: EPA collected soil, sediment, surface water and ground water samples from the previous Shaffer Equipment Site and for approximately 1 mile down from the site.; the samples showed that PCBs were detected above the risk level of 1ppm in sediment at only two locations in Arbuckle Creek (50ppm and 6.2ppm); there were also two samples collected at residences that were above 1ppm (1.2ppm and 1.3ppm); all water samples were below risk levels. **Next Steps:** EPA's work to cap the site has limited the spread of PCBs; however, additional sampling will be conducted to find extent of contamination around the samples that exceeded the risk level, and to determine if there is a different contributor besides the Shaffer Equipment Site. (the highest result is approximately a half mile from the Shaffer Equipment Site)

Ozone Air Quality Standard Designations and Supplemental Proposal – on hold

The statutory deadline for designations is Oct 1, so we're shooting to notify states by Friday, Sept. 29. Consistent with the states' and tribes' recommendations, EPA is designating most of the U.S. – 2660 counties (out of 3,142) – as meeting the air quality standard for ground-level ozone. The materials refer to these areas as “unclassifiable/attainment,” that's the regulatory term they have to use, but it means that the areas, whether there's enough air monitoring data for them or not, are meeting the air quality standard. Regarding the Supplemental Proposal, the agency is proposing options for classifying nonattainment areas for the 2015 National Ambient Air Quality Standards for ground-level ozone. These alternative options supplement the approach the Agency proposed in November 2016. These proposed alternatives would subject some areas to greater initial planning and control requirements, but would potentially provide more achievable attainment deadlines.

East Chicago, IN Request from NRDC to invoke Safe Drinking Water Act 1431 authority re: lead in drinking water -- response letter on hold - -- Kell Kelly, David Fotouhi and Sarah Greenwalt evaluating next steps

Indiana has acted on most of the items the request calls for. IDEM would like us to resolve the petition asap.

Message

From: Jackson, Ryan [jackson.ryan@epa.gov]
Sent: 10/16/2017 6:07:44 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Need verification - OMB review of CERCLA Q&As

You should absolutely respond to sue and settle. That's the priority today.

From: Bowman, Liz
Sent: Monday, October 16, 2017 2:05 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Subject: FW: Need verification - OMB review of CERCLA Q&As

Please see Brittany's email explaining that this is with OMB and can't be released. I would be happy to release this, but am very focused on responding to questions on our other major announcement today.

From: Davis, Patrick
Sent: Monday, October 16, 2017 2:04 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Darwin, Veronica <darwin.veronica@epa.gov>
Subject: RE: Need verification - OMB review of CERCLA Q&As

Hi Ryan,

I understand the bang we will get out of releasing the CERCLA guidance to the media on Wednesday but the regulated ag community and particularly the pork producers board is meeting this afternoon at 4 p.m. EST to begin planning how they will educate their farmers about compliance. Is there any way for us to get this guidance to the pork producers and the other ag groups we have been working with today without a media flourish?

Thanks,
Patrick Davis

From: Bowman, Liz
Sent: Monday, October 16, 2017 11:24 AM
To: Davis, Patrick <davis.patrick@epa.gov>
Cc: Bolen, Brittany <bolen.brittany@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>; Rees, Sarah <rees.sarah@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Hostage, Barbara <Hostage.Barbara@epa.gov>; Noggle, William <Noggle.William@epa.gov>
Subject: Re: Need verification - OMB review of CERCLA Q&As

We are holding on this until we can huddle w David and Brittany on messaging. We want to make some good news here.

Sent from my iPhone

On Oct 16, 2017, at 1:22 PM, Davis, Patrick <davis.patrick@epa.gov> wrote:

Hi,

May we please post the CERCLA guidance to our website today while the interagency review is occurring? The regulated ag community is expecting it to be posted today so that they can begin educating farmers around the country before they have to comply on November 15.

Thanks,
Patrick Davis

From: Noggle, William

Sent: Monday, October 16, 2017 9:32 AM

To: Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Cooperstein, Sharon <Cooperstein.Sharon@epa.gov>; Rees, Sarah <rees.sarah@epa.gov>; Nickerson, William <Nickerson.William@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Cheatham, Reggie <cheatham.reggie@epa.gov>; Clark, Becki <Clark.Becki@epa.gov>; Jacob, Sicy <Jacob.Sicy@epa.gov>; Franklin, Kathy <Franklin.Kathy@epa.gov>; Beaman, Joe <Beaman.Joe@epa.gov>; Hostage, Barbara <Hostage.Barbara@epa.gov>; Cogliano, Gerain <Cogliano.Gerain@epa.gov>; Hull, George <Hull.George@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Darwin, Veronica <darwin.veronica@epa.gov>

Subject: Need verification - OMB review of CERCLA Q&As

Patrick, Veronica,

This morning, our OMB desk officer requested the Ag CERCLA Q&As to be uploaded formally to ROCIS to begin interagency review under EO 12866, and we should target concluding interagency review by the end of this week, October 20th. Could you please confirm this is the case? Additionally, I would assume that posting the CERCLA Q&As on our website is on hold until interagency review concludes. Could you please confirm that the web posting is on hold?

Regarding path forward under interagency, OMB has proposed the following:

- Today – OMB to distribute CERCLA Q&As formally for interagency review for 24-hour comment period (interagency will be OMB, DOJ, USDA, and SBA)
- Tuesday morning, Oct 17th – Meeting between OMB and OGC to discuss legal issues with the EPCRA Q&A
- Tuesday afternoon, Oct 17th – Meeting with OMB, OGC, and DOJ to discuss legal issues with the EPCRA Q&A
- Wednesday, Oct 18th – Meeting with OMB, EPA, DOJ, USDA, and SBA to discuss interagency comments on CERCLA Q&As
- By Friday, Oct 20th – Conclude interagency review on both EPCRA and CERCLA Q&As.

Thanks,
Bill
202-566-1306

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 1/8/2018 12:48:55 PM
Subject: January 8 issues
Attachments: 8.3 issues (002) (002) (003) (002) (002) (003) (002) (003) (003) (003) (002) (002) (003) (005) (003) (002) (003) (002) (004) (002) (002) (002) (003) (002) (002) ((013).docx

Hurricane Maria - update press release on 1/5

Status of Power and Water: About 40% of the residents in Puerto Rico still lack electrical power. Continuing power outages remain a major obstacle to improvements in other areas, including proper management of wastewater and providing drinking water to residents. Use of generators is widespread, but there are frequent failures because the units are not suited to such extended operation. In the U.S. Virgin Islands, 92% of the power has been restored. About 3% of the population in Puerto Rico served by the main utility is still not receiving drinking water. Additionally, some remote communities not connected to the utility lines are still unable to reconnect their local water supplies due to lack of power. All sewage treatment plants in Puerto Rico and the USVI are back in service, but some pump stations are not working and there continue to be some discharges of raw sewage to surface waters. The Puerto Rico government continues to issue warnings and restrictions against bathing in and drinking from potentially contaminated streams.

Progress on EPA Mission Assignments: EPA is making good progress on our mission assignments. To date we have collected some 125,000 household hazardous waste and orphan containers, e-waste items and white goods (for extraction of refrigerant). In addition, we are managing large quantities of medical waste in the USVI; we are managing the oil and hazardous materials from the sunken and stranded vessels that are being removed by the US Coast Guard; we are assisting the PR Environmental Quality Board to rebuild its laboratory; we will be assisting a number of non-utility water systems in PR with necessary repairs; and we are also preparing to re-establish a number of ambient air monitoring stations in both jurisdictions.

Wildfires in California

On January 3, we hosted a visit to the EPA and FEMA Command Posts by Homeland Security Secretary Nielsen, discussed progress and lessons learned. The FEMA Regional Administrator and acting RA then joined her in a meeting with County Supervisors from Napa, Sonoma, Mendocino and Lake Counties, who discussed unique challenges associated with disaster recovery. Our asbestos assessment and removal mission assignment continues at a brisk pace, as we continue to inherit thousands of unassessed parcels from the Army Corps which need our scrutiny. Next Tuesday, acting RA will meet with agricultural partners in Ventura County to discuss how EPA could be of assistance as they work to restore burned citrus orchards, avocado groves, and other affected cropland.

GE Hudson -- high media and elected official interest - Administrator briefed - press release 1/8

EPA is going to be making two decisions that will garner much attention from the media and from elected officials related to the Hudson. One is the finalization of the second (in what will be many) Five-Year Review and the other is the decision on a Certification of Completion – a decision that is required in our Consent Decree with GE. See recent article below about a letter that US FWS just sent to us (we already heard from NOAA).

We think that we will get calls this week from reporters asking when we plan to make the final decisions on the five-year review and the certification of completion. Region 2 is in discussion about whether to send a short letter to GE (b/c the certification of completion decision is technically due under our Consent Decree on January 3). RA Silva has been speaking with Kel over the past number of weeks and will continue to coordinate with him on any decisions the region makes.

Cuomo backs Hudson cleanup after action from U.S Fish and Wildlife Service

After the U.S. Fish and Wildlife Service issued a letter to the U.S. EPA about the “significant (polychlorinated biphenyls) contamination left in the Hudson River,” Gov. Andrew Cuomo commended the agency for their letter and planned additional potential action against the EPA. “The Hudson River is one of New York’s natural treasures, a key economic engine for the state, and the lifeblood of communities along its shores,” Cuomo stated in a news release. “I commend the U.S. Fish and Wildlife Service for affirming that General Electric’s remediation of PCBs in the Hudson River is not complete and that additional cleanup is needed to ensure the recovery of the river.”

Earlier this month, Cuomo said that New York would immediately take action against the EPA if they accepted the Upper Hudson River dredging of PCBs, according to the release. “We will not allow PCB contamination to continue wreaking havoc on this vital resource,” Cuomo added. “If the EPA chooses to ignore the facts, we will partner with New York’s Attorney General to sue the federal government and demand that the cleanup is completed once and for all. “The health and safety of New Yorkers depends on it.

Lead and Copper Rule Federalism Consultation -- January 8 - Dave Ross and Lee Forsgren to participate - at EPA HQ - closed press

On January 8, EPA will convene a meeting with intergovernmental organizations in Washington, DC to initiate a 60-day Federalism Consultation as the agency continues to work closely with states and tribes on revisions to the Lead and Copper rule. Dave Ross and Lee Forsgren will participate. The intergovernmental consultation will be followed by discussions with these and other stakeholders on the proposed rule. During the meeting, EPA will provide an overview of the Lead and Copper Rule and review key areas that EPA is considering for rule revisions. This engagement, along with the peer review input the agency recently received on assessments of lead exposure to children, will help to ensure that any potential revisions reflect the best available information and latest science to provide Americans with important public health protections.

Office of Environmental Education 2018 EE Local Grants Program RFPs -- press release - January 8

EPA expects to award up to \$3 million of funding through three to four grants from each of the EPA’s 10 Regional Offices, for a total of approximately 30- 35 grants nationwide. The award amount for each of these grants will no less than \$50,000 and no more than \$100,000 each. This year, EPA will solicit proposals through 10 separate RFPs, one per Region. These grants support environmental education projects that increase the public's awareness about environmental and conservation issues and provide the public with the skills to take responsible actions to protect the environment. The FY18 EE Local Grant Program will support locally-focused environmental education projects that increase public awareness and knowledge about environmental and conservation issues and develop the skills to make informed decisions and take responsible actions toward the environment. Through this grant program, EPA intends to provide financial support for projects that will serve to increase environmental and conservation literacy and encourage behavior that will benefit the environment and natural resources in the local community(ies) in which they are located. Since 1992, EPA has distributed between \$2 and \$3.5 million in grant funding per year, supporting more than 3700 grants.

NPL Update -- sites added to the list -- sites proposed for the list - press release 1/9

The U.S. Environmental Protection Agency (EPA) is adding four and proposing to add 10 hazardous waste sites to the Superfund program’s National Priorities List (NPL). Superfund, which Congress established in 1980, investigates and cleans up hazardous waste sites and converts them into community resources. The Superfund law directs EPA to update the NPL annually. Only sites added to the NPL are eligible to receive federal funding for long-term permanent cleanup.

“EPA is adding these sites to the National Priorities List because we are concerned about the threat they pose to local residents,” said EPA Administrator Scott Pruitt. “It is EPA’s duty to the American public to clean up Superfund sites as quickly and thoroughly as possible. The sooner we do, the sooner these communities can enjoy better health and stronger local economies.”

Senate Environment and Public Works Committee staff request for a bipartisan briefing from EPA on the agency's PFAS-related activities -- 1/11 -- OW and ORD

Working with PFAS steering committee and ORD/OW/OLEM/OCIR leadership on content of the briefing

EPA Releases Superfund Redevelopment Focus List - press release week of January 8

EPA is releasing its initial list of Superfund National Priorities List sites with the greatest expected redevelopment and commercial potential. The Superfund Task Force called for this list in its recommendations issued on July 25, 2017.

Superfund redevelopment has helped communities reclaim and reuse thousands of acres of formerly contaminated land. EPA believes the sites on the list have significant redevelopment potential based on previous outside interest, access to transportation corridors, land values, and other critical development drivers.

Westlake Landfill -- EPA Remedy Review Board Meeting - - January 9 - high public/press interest

Calls were made to key stakeholders last week to inform them that EPA is additionally considering the full excavation with on-site disposal option to ensure that the FFS includes a broad suite of remedial alternatives to make the most protective remedy selection. Community stakeholders were encouraged to provide feedback to the National Remedy Review Board (NRRB) in advance of the Board discussion scheduled January 9. Major components of the Final Feasibility Study (FFS) are anticipated to arrive from the Potentially Responsible Parties (PRPs). The submittals will include schedule and cost information for the risk based industrial use partial excavation alternative and the full excavation with on-site disposal in an engineered cell alternative and other supporting documentation

EPA Recognizes Electronics Industry Leaders for Innovation and Recycling Achievements -- press release/awards at Consumer Electronics Show - January 11

Today the U.S. Environmental Protection Agency recognized leading electronics manufacturers, retailers, and brand owners for their significant contributions in designing products sustainably and diverting electronics from landfills by sending them to third-party certified recyclers as part of the Sustainable Materials Management (SMM) Electronics Challenge.

“Sustainable innovation is the future of manufacturing and of our country’s strong economy,” said EPA Administrator Scott Pruitt. “Through their efforts, our 2017 SMM Electronics Challenge winners promote business growth while protecting our environment.”

Annual EPA Report Shows Industrial Facilities Continue to Reduce Releases of TRI Chemicals Through Pollution Prevention Activities: Reductions include continued decline in chemical releases to air - press release January 17

The U.S. Environmental Protection Agency today released its 2016 Toxics Release Inventory (TRI) National Analysis, which shows that industrial facilities continue to reduce release of TRI chemicals through pollution reduction activities.

In 2016, of the nearly 28 billion pounds of total chemical waste managed at TRI-covered industrial facilities, 87% was not released into the environment due to the use of preferred waste management practices such as recycling, energy recovery, and treatment. Facilities also reported implementing 5,900 new source reduction activities that eliminated or reduced the creation of chemical waste. The TRI Pollution Prevention (P2) Search Tool has more information about how individual facilities and parent companies are managing waste and reducing pollution at the source. By highlighting this information and making it easily accessible, EPA is encouraging facilities to learn from each other’s best practices and adopt additional methods for reducing pollution.

The 2016 National Analysis also shows that releases of TRI-listed chemicals into the air fell 58% from 2006 to 2016 at industrial facilities submitting data to the TRI Program. Electric utilities and paper manufacturing facilities reported the greatest reductions, but nearly every sector reduced its air releases.

PFAS Agency-wide Action Agenda -- final draft January 19 -- internal and external comms TBD

Agenda to define scope and extent of PFAS in the environment; better understand potential health risks and exposure; and identify tools that state and local governments can use.

Farmers are required to begin reporting releases to the air of hazardous substances from animal waste when the court issues its mandate (January 22, 2018 or later) -- extensive public outreach by the regions prior to final press release -- week of 1/8

EPA has issued guidance that is available online to assist farmers in estimating their air releases and reporting under CERCLA for air releases of hazardous substances from animal waste at farms (EPA's website also contains EPA's preliminary interpretation of EPCRA to exclude farms that use substances in "routine agricultural operations" from reporting under EPCRA section 304).

Background: On December 18, 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substances from animal waste. This final rule applied to:

- Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and
- Section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA), if the farms stable or confine fewer than a certain number of animals.

On April 11, 2017, the DC Circuit Court vacated this final rule. In response to a request from EPA, the DC Circuit Court extended the date by which farms must begin reporting these releases to November 15, 2017. EPA requested an additional extension to develop guidance that would assist farmers in calculating and reporting releases from animal waste under CERCLA. The guidance was released on October 25, 2017, and requested public input. On November 22, 2017, the DC Circuit Court of Appeals granted EPA's motion to further stay the mandate until January 22, 2018. EPA is continuing to refine the guidance to assist farmers with reporting under CERCLA. Once the mandate is issued, all farms (including those previously exempted) that have releases of hazardous substances to air from animal wastes equal to or greater than their reportable quantities within any 24-hour period must report such releases under CERCLA.

Oil and natural gas roundtable -- January 23 -24 in Denver, CO -- Ken Wagner representing Administrator; Patrick Traylor, Doug Benevento, Daisy Letendre and Anne Idsal participating

Holding Statement: "In response to concerns about EPA's compliance assurance activities raised by various industry associations earlier this year, Administrator Pruitt committed to convene a national oil and natural gas roundtable. The Environmental Council of States (ECOS) and the Interstate Oil and Gas Compact Commission (IOGCC) are cosponsoring the roundtable with EPA."

Who is attending the oil and natural gas roundtable?A: A mix of approximately 40 state regulators, industry, trade associations, environmental NGOs and EPA. Attendees were asked to RSVP by Thursday, January 4, 2018.

How were attendees selected?A: ECOS and the IOGCC identified prospective participants. EPA sent invitations to prospective participants on December 21, 2017.

Is the roundtable open to the public?A: No. Participation is by invitation only. However, EPA intends to release the proceedings of the roundtable publicly.

What does EPA hope to achieve by convening an oil and natural gas roundtable?

A: Increased opportunities for coordination and collaboration among stakeholders.

Human Exposure Not Under Control at Superfund Sites --date TBD -- web posting

One of the recommendations of the Superfund Task Force from July 25, 2017 was to determine any site where human exposure is not under control (HENU) and prioritize effecting control. EPA has completed its data evaluation and currently there are **114 sites out of 1,629 sites** (non-federal facility, final and deleted and Superfund Alternative Approach Sites) that human health exposure is not under control. That is **7%** on a national perspective. More than **50% of the EPA Regions have <10%** of their sites as HENUC. Approximately, **37 of the 114 sites (32 %)** have fish consumption as an exposure pathway. The fish consumption exposure pathway is one that can take a significant amount of time to address in the long term to achieve levels that are protective. **Nine HENU sites** have already been included on the Administrator's emphasis list issued on December 8, 2017. We continue to work collaboratively with our stakeholders to move forward on all Superfund sites to achieve protection of human health and the environment

Other Upcoming:

Hearings:

1/18 - Superfund Oversight hearing House E and C - Witnesses: Kell Kelly and Barry Breen

1/30 - SEPW - Administrator testifying

TBD -- Hurricanes - Pete Lopez testifying

War on Lead - strategy announcement - early January

Abandoned Mines Initiative - mid January

POTUS infrastructure emphasis amplification - January

Western Governors Association reception at EPA -- February 25

Environmental Justice Report: early February

Office of Civil Rights -- MD715 report due -- February 28

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 1/5/2018 1:08:22 PM
Subject: January 5 issues
Attachments: 8.3 issues (002) (002) (003) (002) (002) (003) (002) (003) (003) (003) (002) (002) (003) (005) (003) (002) (003) (002) (004) (002) (002) (002) (003) (002) (002) ((013).docx

Hurricane Maria - update press release on 1/5

Close to half of the residents in Puerto Rico and the U.S. Virgin Islands remain without electric power, and this remains a major obstacle to improvements in other areas, including proper management of wastewater and providing drinking water to residents. Use of generators is widespread, but there are frequent failures because the units are not suited to such extended operation. Nevertheless, EPA is making good progress on our mission assignments. To date we have collected over 83,000 household hazardous waste and orphan containers, e-waste items and white goods (for extraction of refrigerant); and we are managing large quantities of medical waste in the USVI. The US Coast Guard has also started removing sunken and stranded vessels, and EPA is managing the oil and hazardous materials from those boats. EPA remains on standby to provide air monitoring in the event that either PR or the USVI authorize the Army Corps of Engineers to carry out air curtain incineration of vegetative debris. In the USVI the question of whether or not to do such burning has become a matter of considerable public controversy. The Corps has advised the USVI government that it will very soon run out of space to stockpile debris – particularly the very large amount of vegetative debris – and will need to terminate collection operations if no decision on how to manage the material is made. There is a lawsuit pending to prohibit the air curtain incineration (ACI) of vegetative debris in the USVI. All ACI operations have been stopped until the legal actions are resolved. In PR, the local government is also wary of ACI operations, anticipating strong negative public reaction to such a plan. Regional Administrator Pete Lopez and regional senior staff met on Dec. 20 with Tania Vasquez, head of Puerto Rico's Environmental Quality Board; this issue was among the main topics of discussion.

Wildfires in California -- DHS Secretary to visited on January 3

Acting RA Strauss, SFDD Enrique Manzanilla and Incident Commander Steve Calanog attended.

EPA convened a discussion with FEMA and the Army Corps of Engineers to inform EPA's expanded role in asbestos assessment and removal for the four No. California counties. We expect to complete assessing all parcels in Lake, Mendocino and Napa counties by this weekend, and all resulting removals by mid-January. This leaves a large assessment and removal workload for us in Sonoma County. We're working to take on the Corps' inventory, and are reaching out to County officials re the universe of properties where the Corps did not obtain right-of-entry. We have bilingual information available to the public and plan further communications next week. In So. California, we are supporting the State's response with three OSCs based in Ventura

GE Hudson -- high media and elected official interest - Administrator briefed

EPA is going to be making two decisions that will garner much attention from the media and from elected officials related to the Hudson. One is the finalization of the second (in what will be many) Five-Year Review and the other is the decision on a Certification of Completion – a decision that is required in our Consent Decree with GE. See recent article below about a letter that US FWS just sent to us (we already heard from NOAA).

We think that we will get calls this week from reporters asking when we plan to make the final decisions on the five-year review and the certification of completion. Region 2 is in discussion about whether to send a short letter to GE (b/c the certification of completion decision is technically due under our Consent Decree on January 3). RA Silva has been speaking with Kel over the past number of weeks and will continue to coordinate with him on any decisions the region makes.

Cuomo backs Hudson cleanup after action from U.S Fish and Wildlife Service

After the U.S. Fish and Wildlife Service issued a letter to the U.S. EPA about the “significant (polychlorinated biphenyls) contamination left in the Hudson River,” Gov. Andrew Cuomo commended the agency for their letter and planned additional potential action against the EPA. “The Hudson River is one of New York's natural treasures, a key economic engine for the state, and the lifeblood of communities along its shores,” Cuomo stated in a news release. “I commend the U.S. Fish and Wildlife Service for affirming that General Electric's remediation of PCBs in the Hudson River is not complete and that additional cleanup is needed to ensure the recovery of the river.”

Earlier this month, Cuomo said that New York would immediately take action against the EPA if they accepted the Upper Hudson River dredging of PCBs, according to the release. “We will not allow PCB contamination to continue wreaking havoc on this vital resource,” Cuomo added. “If the EPA chooses to ignore the facts, we will partner with New York’s Attorney General to sue the federal government and demand that the cleanup is completed once and for all. “The health and safety of New Yorkers depends on it.

Senate Environment and Public Works Committee staff request for a bipartisan briefing from EPA on the agency's PFAS-related activities -- week of 1/8

Working with PFAS steering committee and ORD/OW/OLEM/OCIR leadership on who from EPA will participate and content of the briefing.

Office of Environmental Education 2018 EE Local Grants Program RFPs -- press release - January 8

EPA expects to award up to \$3 million of funding through three to four grants from each of the EPA’s 10 Regional Offices, for a total of approximately 30- 35 grants nationwide. The award amount for each of these grants will no less than \$50,000 and no more than \$100,000 each. This year, EPA will solicit proposals through 10 separate RFPs, one per Region. These grants support environmental education projects that increase the public's awareness about environmental and conservation issues and provide the public with the skills to take responsible actions to protect the environment. The FY18 EE Local Grant Program will support locally-focused environmental education projects that increase public awareness and knowledge about environmental and conservation issues and develop the skills to make informed decisions and take responsible actions toward the environment. Through this grant program, EPA intends to provide financial support for projects that will serve to increase environmental and conservation literacy and encourage behavior that will benefit the environment and natural resources in the local community(ies) in which they are located. Since 1992, EPA has distributed between \$2 and \$3.5 million in grant funding per year, supporting more than 3700 grants.

NPL Update -- sites added to the list -- press release week of 1/8

The U.S. Environmental Protection Agency (EPA) is adding four and proposing to add 10 hazardous waste sites to the Superfund program’s National Priorities List (NPL). Superfund, which Congress established in 1980, investigates and cleans up hazardous waste sites and converts them into community resources. The Superfund law directs EPA to update the NPL annually. Only sites added to the NPL are eligible to receive federal funding for long-term permanent cleanup.

“EPA is adding these sites to the National Priorities List because we are concerned about the threat they pose to local residents,” said EPA Administrator Scott Pruitt. “It is EPA’s duty to the American public to clean up Superfund sites as quickly and thoroughly as possible. The sooner we do, the sooner these communities can enjoy better health and stronger local economies.”

EPA Releases Superfund Redevelopment Focus List - press release week of January 8

EPA is releasing its initial list of Superfund National Priorities List sites with the greatest expected redevelopment and commercial potential. The Superfund Task Force called for this list in its recommendations issued on July 25, 2017.

Superfund redevelopment has helped communities reclaim and reuse thousands of acres of formerly contaminated land. EPA believes the sites on the list have significant redevelopment potential based on previous outside interest, access to transportation corridors, land values, and other critical development drivers.

Lead and Copper Rule Federalism Consultation -- January 8 - Dave Ross and Lee Forsgren to participate - at EPA HQ - closed press

On January 8, EPA will convene a meeting with intergovernmental organizations in Washington, DC to initiate a 60-day Federalism Consultation as the agency continues to work closely with states and tribes on revisions to the Lead and Copper rule. Dave Ross and Lee Forsgren will participate. The intergovernmental consultation will be followed by discussions with these and other stakeholders on the proposed rule. During the meeting, EPA will provide an overview of the Lead and Copper Rule and review key areas that EPA is considering for rule revisions. This engagement, along with the peer review input the agency recently received on assessments of lead exposure to children, will help to ensure that any potential revisions reflect the best available information and latest science to provide Americans with important public health protections.

Westlake Landfill -- EPA Remedy Review Board Meeting - - January 9 - high public/press interest

Calls were made to key stakeholders last week to inform them that EPA is additionally considering the full excavation with on-site disposal option to ensure that the FFS includes a broad suite of remedial alternatives to make the most protective remedy selection. Community stakeholders were encouraged to provide feedback to the National Remedy Review Board (NRRB) in advance of the Board discussion scheduled January 9. Major components of the Final Feasibility Study (FFS) are anticipated to arrive from the Potentially Responsible Parties (PRPs). The submittals will include schedule and cost information for the risk based industrial use partial excavation alternative and the full excavation with on-site disposal in an engineered cell alternative and other supporting documentation

EPA Recognizes Electronics Industry Leaders for Innovation and Recycling Achievements -- press release/awards at Consumer Electronics Show - January 11

Today the U.S. Environmental Protection Agency recognized leading electronics manufacturers, retailers, and brand owners for their significant contributions in designing products sustainably and diverting electronics from landfills by sending them to third-party certified recyclers as part of the Sustainable Materials Management (SMM) Electronics Challenge.

“Sustainable innovation is the future of manufacturing and of our country’s strong economy,” said EPA Administrator Scott Pruitt. “Through their efforts, our 2017 SMM Electronics Challenge winners promote business growth while protecting our environment.”

Annual EPA Report Shows Industrial Facilities Continue to Reduce Releases of TRI Chemicals Through Pollution Prevention Activities: Reductions include continued decline in chemical releases to air - press release January 17

The U.S. Environmental Protection Agency today released its 2016 Toxics Release Inventory (TRI) National Analysis, which shows that industrial facilities continue to reduce release of TRI chemicals through pollution reduction activities.

In 2016, of the nearly 28 billion pounds of total chemical waste managed at TRI-covered industrial facilities, 87% was not released into the environment due to the use of preferred waste management practices such as recycling, energy recovery, and treatment. Facilities also reported implementing 5,900 new source reduction activities that eliminated or reduced the creation of chemical waste. The TRI Pollution Prevention (P2) Search Tool has more information about how individual facilities and parent companies are managing waste and reducing pollution at the source. By highlighting this information and making it easily accessible, EPA is encouraging facilities to learn from each other’s best practices and adopt additional methods for reducing pollution.

The 2016 National Analysis also shows that releases of TRI-listed chemicals into the air fell 58% from 2006 to 2016 at industrial facilities submitting data to the TRI Program. Electric utilities and paper manufacturing facilities reported the greatest reductions, but nearly every sector reduced its air releases.

PFAS Agency-wide Action Agenda -- final draft January 19 -- internal and external comms TBD

Agenda to define scope and extent of PFAS in the environment; better understand potential health risks and exposure; and identify tools that state and local governments can use.

Farmers are required to begin reporting releases to the air of hazardous substances from animal waste when the court issues its mandate (January 22, 2018 or later) -- extensive public outreach by the regions prior to final press release -- week of 1/8

EPA has issued guidance that is available online to assist farmers in estimating their air releases and reporting under CERCLA for air releases of hazardous substances from animal waste at farms (EPA's website also contains EPA's preliminary interpretation of EPCRA to exclude farms that use substances in "routine agricultural operations" from reporting under EPCRA section 304).

Background: On December 18, 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substances from animal waste. This final rule applied to:

- Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and
- Section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA), if the farms stable or confine fewer than a certain number of animals.

On April 11, 2017, the DC Circuit Court vacated this final rule. In response to a request from EPA, the DC Circuit Court extended the date by which farms must begin reporting these releases to November 15, 2017. EPA requested an additional extension to develop guidance that would assist farmers in calculating and reporting releases from animal waste under CERCLA. The guidance was released on October 25, 2017, and requested public input. On November 22, 2017, the DC Circuit Court of Appeals granted EPA's motion to further stay the mandate until January 22, 2018. EPA is continuing to refine the guidance to assist farmers with reporting under CERCLA. Once the mandate is issued, all farms (including those previously exempted) that have releases of hazardous substances to air from animal wastes equal to or greater than their reportable quantities within any 24-hour period must report such releases under CERCLA.

Oil and natural gas roundtable -- January 23 - 24 in Denver, CO -- Ken Wagner representing Administrator

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Questions and Answers:

Who is attending the oil and natural gas roundtable? A: A mix of approximately 40 state regulators, industry, trade associations, environmental NGOs and EPA. Attendees were asked to RSVP by Thursday, January 4, 2018.

How were attendees selected? A: ECOS and the IOGCC identified prospective participants. EPA sent invitations to prospective participants on December 21, 2017.

Is the roundtable open to the public? A: No. Participation is by invitation only. However, EPA intends to release the proceedings of the roundtable publicly.

What does EPA hope to achieve by convening an oil and natural gas roundtable?

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Environmental Justice Report: early February

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 11/28/2017 8:17:59 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Liz -- for review/approval -- farm emissions extension FW: attached - draft PR for CERCLA/EPCRA extension

Thx

Sent from my iPhone

On Nov 28, 2017, at 2:44 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

I am waiting on edits back from David F; will send as soon as I get them. I am trying to simplify the language they sent with their legal edits.

From: Grantham, Nancy
Sent: Tuesday, November 28, 2017 2:21 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Liz -- for review/approval -- farm emissions extension FW: attached - draft PR for CERCLA/EPCRA extension

Do we have version we want to send out? Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Cellular Phone / Ex. 6

From: Bowman, Liz
Sent: Monday, November 27, 2017 4:59 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Liz -- for review/approval -- farm emissions extension FW: attached - draft PR for CERCLA/EPCRA extension

Thank you – I will take a look and then send Tate and Jeff a version with any edits I have. Thanks for pulling together a draft.

From: Grantham, Nancy
Sent: Monday, November 27, 2017 4:56 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Liz -- for review/approval -- farm emissions extension FW: attached - draft PR for CERCLA/EPCRA extension

Hi liz,

Please see attached and below – the release for the farm extension deadline – do you want jeff sands and tate to review? thanks ng

DC Circuit Court Grants EPA Request to Extend Deadline for Reporting Air Emissions of Hazardous Substances from Animal Waste at Farms

11/27/2017

Contact Information:

(press@epa.gov)

(WASHINGTON) — On Wednesday, November 22, 2017, in response to an EPA request, the DC Circuit Court of Appeals extended the deadline for farmers to report air releases of hazardous substances from animal waste at farms until January 22, 2018. EPA sought this deadline extension to allow more time to provide compliance assistance to farmers and update guidance. The extension also provides farmers with more time to estimate emission levels and to prepare their written reports. With the Court's decision, farmers are not required to report emissions from animal waste until the Court issues its mandate, expected no sooner than January 22, 2018.

"I'm pleased that the DC Circuit Court has heard EPA's request and agreed to grant farmers more time to meet these reporting requirements," **said Administrator Scott Pruitt**. "EPA is committed to exploring options to reduce the regulatory burden for America's farmers and providing assistance where we can to help farmers with regulatory compliance."

On December 18, 2008, EPA published a final rule that exempted most farms from reporting air releases of hazardous substances from animal waste. On April 11, 2017, the DC Circuit Court vacated this final rule. In response to a request from EPA, the DC Circuit Court extended the date by which farms must begin reporting these releases to November 15, 2017. In response to a second request from EPA, the DC Circuit Court further extended the date by which farms must begin reporting these releases to January 22, 2018. The DC Circuit Court is now expected to issue a mandate on January 22, 2018 that will require farms to report air releases of hazardous substances from animal wastes equal to or greater than their reportable quantities within any 24-hour period to the National Response Center and follow-up with a written report to their EPA regional office.

EPA has prepared guidance that includes links to resources that farmers can use to calculate emissions tailored to specific species of livestock. To view EPA's guidance and Frequently Asked Questions on reporting air emissions from animal waste: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>.

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Cellular Phone / Ex. 6

Message

From: Fotouhi, David [Fotouhi.David@epa.gov]
Sent: 11/28/2017 1:15:29 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: For Review: CIRCLA Release

I will have edits to you shortly

David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Bowman, Liz
Sent: Monday, November 27, 2017 6:43 PM
To: Fotouhi, David <Fotouhi.David@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>
Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: For Review: CIRCLA Release

Can you all review this and make any necessary edits? I know this happened last week, but a press release didn't go out b/c everyone was traveling – so we should do one, if this is worth promoting...Thank you – Liz

DC Circuit Court Grants Trump EPA Request to Extend Deadline for Farmers to Report Emissions from Animal Waste

(WASHINGTON) — On Wednesday, November 22, 2017, in response to a request from the Trump administration EPA, the DC Circuit Court of Appeals extended the deadline for farmers to report air releases of hazardous substances from animal waste at farms until January 22, 2018.

“EPA is committed to exploring options to reduce unnecessary or duplicative regulatory burdens for America’s farmers and ranchers – people committed to conserving the land and the environment,” said **EPA Administrator Scott Pruitt**.

Under the Trump Administration, EPA sought this deadline extension to allow more time to provide compliance assistance to farmers and update guidance. The extension also provides farmers with more time to estimate emission levels and to prepare their written reports. With the Court’s decision, farmers are not required to report emissions from animal waste until the Court issues its mandate, expected no sooner than the new deadline of January 22, 2018.

Background:

On April 11, 2017, the DC Circuit Court vacated the EPA rule finalized by on December 18, 2008, requiring farms to report air releases from animal waste.

In response to a request from the Trump Administration EPA, the DC Circuit Court extended the date by which farms must begin reporting these releases to November 15, 2017. In response to a second request from the current administration EPA, the DC Circuit Court further extended the date by which farms must begin reporting these releases to January 22, 2018.

The DC Circuit Court is now expected to issue a mandate on January 22, 2018 that will require farms to report air releases of hazardous substances from animal wastes equal to or greater than their reportable quantities within any 24-hour period to the National Response Center and follow-up with a written report to their EPA regional office.

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###

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 11/27/2017 9:56:29 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: Liz -- for review/approval -- farm emissions extension FW: attached - draft PR for CERCLA/EPCRA extension
Attachments: Press Release on Animal Waste Extension_PG.DOCX

Hi liz,

Please see attached and below – the release for the farm extension deadline – do you want jeff sands and tate to review? thanks ng

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11/27/2017

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(press@epa.gov)

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Nancy Grantham

**Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)**

Cellular Phone / Ex. 6

Message

From: Fotouhi, David [Fotouhi.David@epa.gov]
Sent: 10/24/2017 10:43:37 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Bolen, Brittany [bolen.brittany@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Subject: RE: CERCLA/EPCRA revised draft communications materials -- animal emissions
Attachments: DF edits to DRAFT Desk Statement on Animal Waste Emissions guidance 10 24 17 OLEM .docx; DF edits to DRAFT News Brief on Animal Waste Emissions guidance 10 24 17.docx

Flag: Follow up

Attorney Client / Ex. 5

David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Fotouhi, David
Sent: Tuesday, October 24, 2017 6:23 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Bolen, Brittany <bolen.brittany@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: CERCLA/EPCRA revised draft communications materials -- animal emissions

Attorney Client / Ex. 5

David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Bowman, Liz
Sent: Tuesday, October 24, 2017 6:22 PM
To: Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Bolen, Brittany <bolen.brittany@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: FW: CERCLA/EPCRA revised draft communications materials -- animal emissions

I JUST got a new version – please use this one. They want to do this tomorrow – is that okay?

From: Grantham, Nancy
Sent: Tuesday, October 24, 2017 6:18 PM
To: Bowman, Liz <[Bowman.Liz@epa.gov](mailto: Bowman.Liz@epa.gov)>
Subject: FW: CERCLA/EPCRA revised draft communications materials -- animal emissions

Hi Liz,

Revised comms materials for this – press release now has an administrator quote. Don't know where we are on timing – see highlight below that they hope to post the guidance on the web tomorrow.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Cellular Phone / Ex. 6

From: Taylor, Trish
Sent: Tuesday, October 24, 2017 6:05 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Klinger, Adam <Klinger.Adam@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>; Hull, George <Hull.George@epa.gov>; Gioffre, Patricia <Gioffre.Patricia@epa.gov>
Subject: RE: CERCLA/EPCRA revised draft communications materials

Hi Nancy,

Attached are the revised comms materials. Acting AA Barry Breen has reviewed/approved the press release. We hope to post the Ag guidance on the webpage tomorrow, Wed. Oct 25th.

Please let me know if you have any questions.
I'll be in the office for another 20 mins or so, and back in tomorrow 8:30 a.m.

Thanks so much,
Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 10/24/2017 8:03:09 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Letendre, Daisy [letendre.daisy@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]
Subject: FW: ACTION NEEDED: Ag Guidance comm plan to OMB
Attachments: DRAFT Comm Plan for Animal Waste Emissions Guidance 10-24-17 (v.5).docx

All – see below – OLEM has been asked to share the comms plan for animal emissions with OMB.

Does this have a green light from OPA/OP?

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Cellular Phone / Ex. 6

From: Taylor, Trish
Sent: Tuesday, October 24, 2017 1:21 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Klinger, Adam <Klinger.Adam@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>
Subject: FW: ACTION NEEDED: Ag Guidance comm plan to OMB

Hi Nancy,

We've been asked to share our comms plan for our Ag guidance w/ OMB. Please let me know if it's good to go.

Thanks,
Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

From: Noggle, William
Sent: Tuesday, October 24, 2017 12:44 PM
To: Cooperstein, Sharon <Cooperstein.Sharon@epa.gov>; Taylor, Trish <Taylor.Trish@epa.gov>
Cc: Gioffre, Patricia <Gioffre.Patricia@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>
Subject: Ag Guidance comm plan to OMB

Sharon,

Per our discussion earlier about OMB's request for our comm plan on the Ag Guidance, we (OLEM) are ok sharing our Ag Guidance comm plan with OMB. However, Kim raised a great point that OPA should clear us sending the comm plan to OMB. Could you and/or Sarah please ask OPA (I believe Liz Bowman) to give us the green light to share the comm plan?

Trish,

Could you please share the comm plan with Sharon and me?

Thanks,

Bill

202-566-1306

Message

From: Darwin, Veronica [darwin.veronica@epa.gov]
Sent: 10/24/2017 3:38:53 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: CERCLA/EPCRA revised Comms Plan and Desk Statement

I'm sure we can move the call to today, if needed. Let me know.
Veronica

From: Grantham, Nancy
Sent: Tuesday, October 24, 2017 11:32 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Darwin, Veronica <darwin.veronica@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: CERCLA/EPCRA revised Comms Plan and Desk Statement

Fyi .. OLEM has scheduled a call on this for tomorrow -- liz and veronica – you are on the invitation.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Cellular Phone / Ex. 6

From: Bowman, Liz
Sent: Tuesday, October 24, 2017 11:16 AM
To: Bolen, Brittany <bolen.brittany@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Darwin, Veronica <darwin.veronica@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: CERCLA/EPCRA revised Comms Plan and Desk Statement

David, did you have edits to this press release and/or talkers that I could work into the release? Also, is there an audience that this will particularly speak to – so that we can manage the press outreach on it?

From: Bolen, Brittany
Sent: Tuesday, October 24, 2017 10:56 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Darwin, Veronica <darwin.veronica@epa.gov>
Subject: RE: CERCLA/EPCRA revised Comms Plan and Desk Statement

All – circling back on this as I understand these documents could be cleared today.

From: Bowman, Liz
Sent: Friday, October 20, 2017 12:21 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>

Cc: Darwin, Veronica <darwin.veronica@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>

Subject: RE: CERCLA/EPCRA revised Comms Plan and Desk Statement

Great, thank you.

From: Grantham, Nancy

Sent: Friday, October 20, 2017 11:42 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>

Cc: Darwin, Veronica <darwin.veronica@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>

Subject: RE: CERCLA/EPCRA revised Comms Plan and Desk Statement

The only thing that has been done is to modify the current website as highlighted below:

The webpage currently reads:

CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms

On December 18, 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substances from animal waste. This final rule applied to:

- Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and
- Section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA), if the farms stable or confine fewer than a certain numbers of animals.

On April 11, 2017, the DC Circuit Court vacated this final rule.

In response to a request from EPA, the DC Circuit Court extended the date by which farms must begin reporting these releases to November 15, 2017.

To assist farmers in meeting CERCLA and EPCRA reporting requirements, EPA is currently developing guidance. EPA is working to have this guidance available to farmers by October 16, 2017, to give them time to review the guidance and comply with the reporting requirements.

Contact Us to ask a question, provide feedback, or report a problem.

Corrected the highlighted sentence above to instead read:

To assist farmers in meeting reporting requirements, EPA is currently developing guidance. EPA is working expeditiously to have this guidance available to farmers to give them time to review it and comply with the reporting requirements.

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Cellular Phone / Ex. 6

From: Bowman, Liz
Sent: Friday, October 20, 2017 11:34 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Darwin, Veronica <darwin.veronica@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>
Subject: RE: CERCLA/EPCRA revised Comms Plan and Desk Statement

Has anything gone out, been posted on the website or talked about publicly in this regard yet?

From: Grantham, Nancy
Sent: Friday, October 20, 2017 9:35 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Darwin, Veronica <darwin.veronica@epa.gov>
Subject: FW: CERCLA/EPCRA revised Comms Plan and Desk Statement

Liz and David,

Veronica mentioned that you might be looking for this info.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Cellular Phone / Ex. 6

From: Benjamin, Kent
Sent: Monday, October 16, 2017 4:29 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Taylor, Trish <Taylor.Trish@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Bekky@epa.gov>
Subject: CERCLA/EPCRA revised Comms Plan and Desk Statement

FYI: per my voicemail

Here is a draft revised comms plan that takes into account the actions occurring today and the necessarily revised posting date. The CERCLA/EPCRA package can't get posted on the web until OMB receives all materials in ROCIS and gets Interagency comments – which they want up to a work week to do starting today. Changes are in red.

Highlights in the revised draft Comms Plan:

- Press coverage wanted (*National Release) per instructions by Administrator Pruitt today

Deliberative Process / Ex. 5

- Pre and Post publication desk statements
- Reference to CERCLA and EPCRA content being add to ROCIS at OMB by OP Staff
- Possible call by Patrick Davis to Pork Association

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Call if you have questions.

Kent A. Benjamin, M.S., Acting Director
Office of Communications, Partnerships and Analysis
Office of Land and Emergency Management

Tel. 202-564-9095; **Cellular Phone / Ex. 6**

Email: benjamin.kent@epa.gov

FOLLOW OLEM on Twitter @EPAland

“There is a difference between planning and preparing.”

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 3/30/2018 6:27:17 PM
To: Georgina Gustin [georgina.gustin@insideclimatenews.org]
CC: Press [Press@epa.gov]
Subject: RE: CAFO Air Emissions Story/Media Request

Georgina, on background, please:

On background: Development of emissions estimation methodologies for animal feeding operations was delayed both due to technical concerns raised by the EPA Science Advisory Board's (SAB) review of the initial draft methodologies in 2013 and due to shifting agency priorities and funding. Overall, the SAB recommended that the agency discontinue statistical model methodologies and instead develop process-based models. EPA has hired staff with experience both in developing statistical model methodologies and working with the animal agriculture industry for this project. We plan to focus on completing the statistical model methodologies as initially planned. EPA has completed a quality assurance project plan, which will guide our analysis of data collected during the National Air Emissions Monitoring Study as we develop these methodologies. We anticipate publishing a schedule for the development of these methodologies by July 2018.

More information about National Air Emissions Monitoring Study
<https://www.epa.gov/afos-air/national-air-emissions-monitoring-study>

It's important to note, that EPA believes Congress did not intend to impose EPCRA reporting requirements on farms engaged in routine agricultural operations. The statute does not define "routine agricultural operations," and EPA has previously identified examples of routine agricultural operations. Those examples were not intended to be exhaustive. EPA clarifies in the guidance that it interprets the term "routine agricultural operations" to encompass regular and routine operations at farms, animal feeding operations, nurseries, other horticultural operations and aquaculture.

You may be interested in searching EPA's Enforcement and Compliance History Online [database](#) for Clean Air Act enforcement cases for livestock agricultural production facilities:

- 1: Select the "02-Agricultural Production-Livestock" option from the SIC Code 2-digit selection dropdown menu in the "Industry" section of the "Case Identifiers" section
- 2: Enter "112" in the NAICS code box just below the SIC Code fields (that 112 code corresponds to animal production facilities in the North American Industry Classification System")
- 3: Select "Clean Air Act" in the "Law Cited" dropdown menu in the "Case Attributes" section
- 4: Hit "Search" in the yellow box on the right side of the page once all of the above selections have been made

Case Identifiers

Case Type

☒ Any ☐ Civil ☐ Criminal

Case Category

☒ Any ☐ Administrative Formal ☐ Judicial

Case Lead

☐ Any ☒ Federal EPA ☐ State

Name (Separate multiple names with a semicolon ";")

Find Name(s) That:

Contains Each Term

Name Type

Any

Case Name

Defendant Name

(OS) Case Number

xx-xxxx-xxxx

(OS) Docket Number

Facility ID Number

Industry

SIC Code 2-digit selection

02 - Agricultural Production-Livestock

SIC Code (Use to enter 3- or 4-digit codes)

Add More

NAICS Code (Use to enter 2, 3, 4, 5, or 6-digit codes)

Add More

Search Criteria Selected

Case Identifiers

Case Lead
Federal EPA

SIC Code 2-digit selection
02 - Agricultural Production-Livestock

OR

NAICS Code
112

Search

Facility Locations	
Case Attributes	
View Filter	
Law Cited	Clean Air Act (CAA)
Civil Section(s) Cited	
Criminal Section(s) Cited	
Criminal Section Lookup	
Pollutant Name	
Pollutant Lookup Click Pollutant Lookup to select a pollutant	
Current Case Status	
Judicial:	Administrative:
Any Listed	Any Listed
Complaint Filed With Court	Complaint/Proposed Order
Final Order Lodged	Final Order Issued
Federal Facility/ Cross Media Indicator	No Restrictions
Multi Media Case	Any Yes No
Federal Facility Involvement	Any Yes No
Violation	Click Lookup to select
Violation is the Result of Voluntary Self-Disclosure	
Enforcement Program	Click Lookup to select

Search Criteria Selected

Case Identifiers

Case Lead
Federal EPA

Case Attributes

Law Cited
Clean Air Act (CAA)

Search

Cheers, R.

Robert Daguiard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Cellular Phone / Ex. 6

From: Georgina Gustin [mailto:georgina.gustin@insideclimatenews.org]
Sent: Monday, March 26, 2018 12:36 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Cc: Daguiard, Robert <Daguiard.Robert@epa.gov>
Subject: Re: CAFO Air Emissions Story/Media Request

Hi Tricia and Robert.

Thanks for your note. I hope this helps!

I know the agency has been working on the developing and approving emissions factors for a long time. Can someone explain for why it's taken so long? What the specific difficulties have been?

Also, has the agency ever pursued/fined an AFO for a Clean Air Act violation? When and where?

Finally, under guidance issued last fall, the agency exempted AFO's from reporting air emissions under EPCRA. Why did the agency issued that guidance? Does it encompass all AFOs?

Thanks!

-GG

On Mon, Mar 26, 2018 at 12:23 PM, Lynn, Tricia <lynn.tricia@epa.gov> wrote:

Georgina—

Can you please share specific questions? The program is having trouble addressing this because it's too broad.

Thanks so much. Please be sure to include Robert in your response as I'm about to go out on leave for the next week or so.

Thank you!

-Tricia

From: Georgina Gustin [<mailto:georgina.gustin@insideclimatenews.org>]

Sent: Thursday, March 22, 2018 1:11 PM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>

Cc: Lynn, Tricia <lynn.tricia@epa.gov>

Subject: Re: CAFO Air Emissions Story/Media Request

Hi. Thanks so much for your speedy reply. I'll be working on this over the next few days and it won't run until next week at the earliest.

Best,

Georgina

On Thu, Mar 22, 2018 at 1:07 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Thanks, Georgina. What's the latest we can get back to you?

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Cellular Phone / Ex. 6

From: Georgina Gustin [mailto:georgina.gustin@insideclimatenews.org]

Sent: Thursday, March 22, 2018 12:57 PM

To: Press <Press@epa.gov>

Subject: Fwd: CAFO Air Emissions Story/Media Request

Hello,

I'm forwarding this on to the main press address, because I just got a bounce-back from Enesta. We'd like to run the story next week.

Best,

Georgina

----- Forwarded message -----

From: **Georgina Gustin** <georgina.gustin@insideclimatenews.org>

Date: Thu, Mar 22, 2018 at 12:55 PM

Subject: CAFO Air Emissions Story/Media Request

To: "Jones, Enesta" <jones.enesta@epa.gov>

Hi Enesta,

I hope you're well.

I'm working on a story about CAFO air emissions and am hoping the agency can comment.

I'm looking at:

- The agency's efforts to develop emissions factors.
- The OIG report from last year, stating that EPA has taken too long to develop its methodologies
- New legislation that would exempt AFOs from reporting air emissions under CERCLA
- The agency's 2008 reporting exemption for CAFOs and its guidance from last fall, saying that facilities with "routine agricultural operations" don't have to report.

I'm hoping the agency can explain why it has been unable to develop its emission factors and where it stands on the reporting exemptions under CERCLA, EPCRA and the Clean Air Act.

Please let me know if you need more information.

Thanks,

Georgina

Georgina Gustin

Reporter

InsideClimate News

georgina.gustin@insideclimatenews.org

Or

georgina.gustin@protonmail.com (Encrypted)

[\(314\) 565-0163](tel:(314)565-0163)

[@georgina_gustin](#)

<http://insideclimatenews.org/>

--

Georgina Gustin

Reporter

InsideClimate News

georgina.gustin@insideclimatenews.org

Or

georgina.gustin@protonmail.com (Encrypted)

[\(314\) 565-0163](tel:(314)565-0163)

[@georgina_gustin](#)

<http://insideclimatenews.org/>

--

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Reporter

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georgina.gustin@protonmail.com (Encrypted)

[\(314\) 565-0163](tel:(314)565-0163)

@georgina_gustin

<http://insideclimatenews.org/>

--

Georgina Gustin

Reporter

InsideClimate News

georgina.gustin@insideclimatenews.org

Or

georgina.gustin@protonmail.com (Encrypted)

[\(314\) 565-0163](tel:(314)565-0163)

@georgina_gustin

<http://insideclimatenews.org/>

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 3/28/2018 4:43:28 PM
To: Press [Press@epa.gov]
Subject: RE: FOR REVIEW: Inside Climate News (G. Gustin) - CAFO Air Emissions Story/Media Request

Mike, everyone. Is this good to go?

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Cellular Phone / Ex. 6

From: Daguillard, Robert
Sent: Tuesday, March 27, 2018 3:02 PM
To: Press <Press@epa.gov>
Subject: RE: FOR REVIEW: Inside Climate News (G. Gustin) - CAFO Air Emissions Story/Media Request

UPDATE to the UPDATE, this time with OECA's contribution.

RESPONSE

OAR - Development of emissions estimation methodologies for animal feeding operations was delayed both due to technical concerns raised by the EPA Science Advisory Board's (SAB) review of the initial draft methodologies in 2013 and due to shifting agency priorities and funding. Overall, the SAB recommended that the agency discontinue statistical model methodologies and instead develop process-based models. While we agree that a longer-term effort to develop process-based methodologies is appropriate, we currently are focused on developing statistical model methodologies for estimating emissions, based on a National Academy of Sciences recommendation.

EPA has hired staff with experience both in developing statistical model methodologies and working with the animal agriculture industry for this project. We plan to focus on completing the statistical model methodologies as initially planned. EPA has completed a quality assurance project plan, which will guide our analysis of data collected during the National Air Emissions Monitoring Study as we develop these methodologies. We anticipate publishing a schedule for the development of these methodologies by July 2018.

More information about National Air Emissions Monitoring Study
<https://www.epa.gov/afos-air/national-air-emissions-monitoring-study>

OLEM - EPA believes Congress did not intend to impose EPCRA reporting requirements on farms engaged in routine agricultural operations. The statute does not define "routine agricultural operations," and EPA has previously identified examples of routine agricultural operations. Those examples were not intended to be exhaustive. EPA clarifies in the guidance that it interprets the term "routine agricultural operations" to encompass regular and routine operations at farms, animal feeding operations, nurseries, other horticultural operations and aquaculture.

OECA - A search of EPA's Enforcement and Compliance History Online database for Clean Air Act enforcement cases for livestock agricultural production facilities returned 423 results. That data can be found by going to this webpage and entering the below search criteria: <https://echo.epa.gov/facilities/enforcement-case-search?srch=adv>

- 1: Select the "02-Agricultural Production-Livestock" option from the SIC Code 2-digit selection dropdown menu in the "Industry" section of the "Case Identifiers" section
- 2: Enter "112" in the NAICS code box just below the SIC Code fields (that 112 code corresponds to animal production facilities in the North American Industry Classification System")
- 3: Select "Clean Air Act" in the "Law Cited" dropdown menu in the "Case Attributes" section
- 4: Hit "Search" in the yellow box on the right side of the page once all of the above selections have been made

View More Search Options Collapse All Expand All

Case Identifiers

View More

Case Type: ☒ Any ☐ Civil ☐ Criminal

Case Category: ☒ Any ☐ Administrative Formal ☐ Judicial

Case Lead: ☐ Any ☒ Federal EPA ☐ State

Name (Separate multiple names with a semicolon ";")
Find Name(s) That:

Name Type:

ICS Case Number:

DOJ Docket Number:

Facility ID Number:

Industry
SIC Code 2-digit selection:
SIC Code (Use to enter 3- or 4-digit codes):
SIC Code Lookup:
NAICS Code (Use to enter 2, 3, 4, 5, or 6-digit codes):

Search Criteria Selected

Case Identifiers

Case Lead: Federal EPA

SIC Code 2-digit selection: 02 - Agricultural Production-Livestock

OR

NAICS Code: 112

Search

Waterkeeper et al. v. EPA, No. 1:18-cv-02135 (D.D.C.); EPA-HQ-2018-007135

ED_002290B_00007721-00002

Facility Locations	
Case Attributes	
<div> <div>View Filter</div> <div> <div> <div>Law Cited</div> <div>Clean Air Act (CAA)</div> </div> <div> <div>Civil Section(s) Cited</div> <div></div> </div> <div> <div>Criminal Section(s) Cited</div> <div></div> </div> <div> <div>Criminal Section Lookup</div> <div></div> </div> </div> <div> <div> <div>Pollutant Name</div> <div></div> </div> <div> <div>Pollutant Lookup</div> <div>Click Pollutant Lookup to select a pollutant</div> </div> </div> <div> <div>Current Case Status</div> <div> <div> <div>Judicial</div> <div> <div>Any Listed</div> <div>Complaint Filed With Court</div> <div>Final Order Lodged</div> </div> </div> <div> <div>Administrative</div> <div> <div>Any Listed</div> <div>Complaint/Proposed Order</div> <div>Final Order Issued</div> </div> </div> </div> </div> <div> <div>Federal Facility/ Cross Media Indicator</div> <div>No Restrictions</div> </div> <div> <div>Multi Media Case</div> <div> <input checked="" type="radio"/> Any <input type="radio"/> Yes <input type="radio"/> No </div> </div> <div> <div>Federal Facility Involvement</div> <div> <input checked="" type="radio"/> Any <input type="radio"/> Yes <input type="radio"/> No </div> </div> <div> <div>Violation</div> <div>Click Lookup to select</div> <div>Lookup</div> </div> <div> <div> <input type="checkbox"/> Violation is the Result of voluntary Self-Disclosure </div> </div> <div> <div>Enforcement Program</div> <div>Click Lookup to select</div> <div>Lookup</div> </div> </div>	

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Cellular Phone / Ex. 6

From: Daguillard, Robert
Sent: Tuesday, March 27, 2018 1:50 PM

To: Press <Press@epa.gov>

Subject: RE: FOR REVIEW: Inside Climate News (G. Gustin) - CAFO Air Emissions Story/Media Request

UPDATED response: The first three paragraphs, including the link to the study, come from OAR, the rest from OLEM.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Cellular Phone / Ex. 6

From: Daguillard, Robert

Sent: Tuesday, March 27, 2018 12:45 PM

To: Press <Press@epa.gov>

Subject: FOR REVIEW: Inside Climate News (G. Gustin) - CAFO Air Emissions Story/Media Request

SUMMARY

Program's response taken directly from their website/guidance:

https://www.epa.gov/sites/production/files/2017-10/documents/web_document_placeholder.pdf. Georgina Gustin – Inside Climate News – georgina.gustin@insideclimatenews.org

RESPONSE

Development of emissions estimation methodologies for animal feeding operations was delayed both due to technical concerns raised by the EPA Science Advisory Board's (SAB) review of the initial draft methodologies in 2013 and due to shifting agency priorities and funding. Overall, the SAB recommended that the agency discontinue statistical model methodologies and instead develop process-based models. While we agree that a longer-term effort to develop process-based methodologies is appropriate, we currently are focused on developing statistical model methodologies for estimating emissions, based on a National Academy of Sciences recommendation.

EPA has hired staff with experience both in developing statistical model methodologies and working with the animal agriculture industry for this project. We plan to focus on completing the statistical model methodologies as initially planned. EPA has completed a quality assurance project plan, which will guide our analysis of data collected during the National Air Emissions Monitoring Study as we develop these methodologies. We anticipate publishing a schedule for the development of these methodologies by July 2018.

More information about National Air Emissions Monitoring Study

<https://www.epa.gov/afos-air/national-air-emissions-monitoring-study>

EPA believes Congress did not intend to impose EPCRA reporting requirements on farms engaged in routine agricultural operations. The statute does not define "routine agricultural operations," and EPA has previously identified examples of routine agricultural operations. Those examples were not intended to be exhaustive. EPA clarifies in the guidance that it interprets the term "routine agricultural operations" to encompass regular and routine operations at farms, animal feeding operations, nurseries, other horticultural operations and aquaculture.

Cheers, R.

Robert Daguiard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Cellular Phone / Ex. 6

From: Georgina Gustin [mailto:georgina.gustin@insideclimatenews.org]
Sent: Thursday, March 22, 2018 12:57 PM
To: Press <Press@epa.gov>
Subject: Fwd: CAFO Air Emissions Story/Media Request

Hello,

I'm forwarding this on to the main press address, because I just got a bounce-back from Enesta. We'd like to run the story next week.

Best,
Georgina

----- Forwarded message -----

From: **Georgina Gustin** <georgina.gustin@insideclimatenews.org>
Date: Thu, Mar 22, 2018 at 12:55 PM
Subject: CAFO Air Emissions Story/Media Request
To: "Jones, Enesta" <jones.enesta@epa.gov>

Hi Enesta,

I hope you're well.

I'm working on a story about CAFO air emissions and am hoping the agency can comment.

I'm looking at:

- The agency's efforts to develop emissions factors.
- The OIG report from last year, stating that EPA has taken too long to develop its methodologies
- New legislation that would exempt AFOs from reporting air emissions under CERCLA
- The agency's 2008 reporting exemption for CAFOs and its guidance from last fall, saying that facilities with "routine agricultural operations" don't have to report.

I'm hoping the agency can explain why it has been unable to develop its emission factors and where it stands on the reporting exemptions under CERCLA, EPCRA and the Clean Air Act.

Please let me know if you need more information.

Thanks,
Georgina

...

Georgina Gustin
Reporter
InsideClimate News
georgina.gustin@insideclimatenews.org
Or
georgina.gustin@protonmail.com (Encrypted)
(314) 565-0163
@georgina_gustin

<http://insideclimatenews.org/>

--

Georgina Gustin
Reporter
InsideClimate News
georgina.gustin@insideclimatenews.org
Or
georgina.gustin@protonmail.com (Encrypted)
(314) 565-0163
@georgina_gustin

<http://insideclimatenews.org/>

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 3/27/2018 4:45:27 PM
To: Press [Press@epa.gov]
Subject: FOR REVIEW: Inside Climate News (G. Gustin) - CAFO Air Emissions Story/Media Request

SUMMARY

Program's response taken directly from their website/guidance:

https://www.epa.gov/sites/production/files/2017-10/documents/web_document_placeholder.pdf. Georgina Gustin – Inside Climate News – georgina.gustin@insideclimatenews.org

RESPONSE

EPA believes Congress did not intend to impose EPCRA reporting requirements on farms engaged in routine agricultural operations. The statute does not define “routine agricultural operations,” and EPA has previously identified examples of routine agricultural operations. Those examples were not intended to be exhaustive. EPA clarifies in the guidance that it interprets the term “routine agricultural operations” to encompass regular and routine operations at farms, animal feeding operations, nurseries, other horticultural operations and aquaculture.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Cellular Phone / Ex. 6

From: Georgina Gustin [mailto:georgina.gustin@insideclimatenews.org]
Sent: Thursday, March 22, 2018 12:57 PM
To: Press <Press@epa.gov>
Subject: Fwd: CAFO Air Emissions Story/Media Request

Hello,

I'm forwarding this on to the main press address, because I just got a bounce-back from Enesta. We'd like to run the story next week.

Best,
Georgina

----- Forwarded message -----

From: **Georgina Gustin** <georgina.gustin@insideclimatenews.org>
Date: Thu, Mar 22, 2018 at 12:55 PM
Subject: CAFO Air Emissions Story/Media Request
To: "Jones, Enesta" <jones.enesta@epa.gov>

Hi Enesta,

I hope you're well.

I'm working on a story about CAFO air emissions and am hoping the agency can comment.

I'm looking at:

- The agency's efforts to develop emissions factors.
- The OIG report from last year, stating that EPA has taken too long to develop its methodologies
- New legislation that would exempt AFOs from reporting air emissions under CERCLA
- The agency's 2008 reporting exemption for CAFOs and its guidance from last fall, saying that facilities with "routine agricultural operations" don't have to report.

I'm hoping the agency can explain why it has been unable to develop its emission factors and where it stands on the reporting exemptions under CERCLA, EPCRA and the Clean Air Act.

Please let me know if you need more information.

Thanks,
Georgina

--
Georgina Gustin
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Or
georgina.gustin@protonmail.com (Encrypted)
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--
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(314) 565-0163
[@georgina_gustin](https://www.instagram.com/georgina_gustin)

<http://insideclimatenews.org/>

Message

From: Block, Molly [block.molly@epa.gov]
Sent: 1/2/2018 5:53:45 PM
To: Lynn, Tricia [lynn.tricia@epa.gov]; Press [Press@epa.gov]
Subject: RE: FOR REVIEW: Agri-Pulse (Steve Davies). Guidance and Form for Manure Emissions. (1/2/18)

ok

From: Lynn, Tricia
Sent: Tuesday, January 2, 2018 12:36 PM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: Agri-Pulse (Steve Davies). Guidance and Form for Manure Emissions. (1/2/18)

Background:

Reporter wants to know if EPA is developing guidance and/or an updated form for animal feeding operations to comply with the expected January 22 mandate for farmers to begin reporting manure emissions. Reporter is Steve Davies (steve@agri-pulse.com) of Agri-Pulse.

Suggested Response:

Based on public comment, EPA is continuing to revise the online guidance and is developing a streamlined continuous release report form for farmers to report hazardous substances emissions from animal waste under CERCLA.

From: Steve Davies [<mailto:steve@agri-pulse.com>]
Sent: Tuesday, January 02, 2018 9:50 AM
To: Press <Press@epa.gov>
Subject: manure emissions reporting

Deadline: Today

Is EPA developing updated guidance **and/or** an updated form for animal feeding operations to comply with CERCLA emissions reporting requirements? A mandate is expected to issue from the D.C. Circuit Court of Appeals Jan. 22

Thank you

Steve Davies

Steve Davies
Associate Editor
[202-744-1535](tel:202-744-1535)
steve@agri-pulse.com

Agri-Pulse Communications, Inc.
1400 Independence Ave. SW, Room 1639
Washington, DC 20250
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Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 10/16/2017 10:13:12 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: CERCLA/EPCRA revised Comms Plan and Desk Statement

Thanks – we are probably going to need to adjust the press plan depending on what we get back from interagency review.

From: Grantham, Nancy
Sent: Monday, October 16, 2017 5:00 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: CERCLA/EPCRA revised Comms Plan and Desk Statement

FYI .. see revised plan – evidently this could not have gone today as it needs OMB clearance and Interagency comments.

Per Veronica, Patrick will call Pork Association – and give the very basic comment.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Cellular Phone / Ex. 6 (mobile)

From: Benjamin, Kent
Sent: Monday, October 16, 2017 4:29 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Taylor, Trish <Taylor.Trish@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: CERCLA/EPCRA revised Comms Plan and Desk Statement

FYI: per my voicemail

Here is a draft revised comms plan that takes into account the actions occurring today and the necessarily revised posting date. The CERCLA/EPCRA package can't get posted on the web until OMB receives all materials in ROCIS and gets Interagency comments – which they want up to a work week to do starting today. Changes are in red.

Highlights in the revised draft Comms Plan:

- Press coverage wanted (*National Release) per instructions by Administrator Pruitt today
- Question of whether we add a national release press approach in response to Administrator's request
- Pre and Post publication desk statements
- Reference to CERCLA and EPCRA content being add to ROCIS at OMB by OP Staff
- Possible call by Patrick Davis to Pork Association – presumably using the new sentence in the desk statement about "working expeditiously to make the guidance available to farmers."

Revised 10/16/17 4:00 p.m.

DESCRIPTION OF ISSUE

On December 18, 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substances from animal waste. This final rule applied to:

- Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and
- Section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA), if the farms stable or confine fewer than a certain number of animals.

On April 11, 2017, the DC Circuit Court vacated this final rule.

In response to a request from EPA, the DC Circuit Court extended the date by which farms must begin reporting these releases to November 15, 2017. Starting on this date, all farms (including those previously exempted) that have releases of hazardous substances to air from animal wastes equal to or greater than their reportable quantities within any 24-hour period must provide notification of such releases.

To assist farmers in calculating and reporting their emissions from animal waste, EPA is releasing guidance one month prior to the reporting deadline of November 15, 2017. EPA is working with agricultural trade associations and the Farm Bureau to convey the guidance information to owners and operators of farms with livestock.

Timeframe: Release EPA Guidance on October XX, 2017.

CONTACTS

SMEs:

Kim Jennings 564-7998
Patricia Gioffre 564-1972
Sicy Jacob 564-8019

Communications:

George Hull OEM 564-0790
Trish Taylor, OCPA 566-2615
Christie St. Clair, OPA 564-2880
Eileen Mayer, OEM (Web) 564-9628

TARGETED AUDIENCES

- Owners and Operators of farms with livestock
- Agricultural Trade Associations focused on livestock
- State, local, and tribal governments (including SERCs, LEPCs, and TERCs)
- Environmental groups

MESSENGER(S)

- OEM / RID
- OLEM / OPA / OCIR

KEY MESSAGES

- EPA is releasing guidance to assist farmers in estimating their air releases and meeting reporting requirements for air releases of hazardous substances from animal waste at farms.
- ~~EPA intends to make this information available to farmers by October 16, 2017, to provided time for farmers to review and comply with reporting requirements.~~

- EPA is working expeditiously to have this guidance available to farmers to give them time to review it and comply with the reporting requirements.
- Farmers are required to begin reporting emissions of hazardous substances from animal waste on November 15, 2017.

Background: On December 18, 2008, EPA published a final rule that exempted farms from reporting air releases of hazardous substances from animal waste. This final rule applied to:

- Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and
- Section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA), if the farms stable or confine fewer than a certain number of animals.

On April 11, 2017, the DC Circuit Court vacated this final rule.

In response to a request from EPA, the DC Circuit Court extended the date by which farms must begin reporting these releases to November 15, 2017. Starting on this date, all farms (including those previously exempted) that have releases of hazardous substances to air from animal wastes equal to or greater than their reportable quantities within any 24-hour period must provide notification of such releases.

RECOMMENDED ACTIVITIES

Media Activities

- Desk Statement re: date extension "If Asked"

EPA is working expeditiously to have this guidance available to farmers to give them time to review it and comply with the reporting requirements.

- News release to targeted agricultural focused outlets only
 - National Association of Farm Broadcasting (NAFB)
 - Agri-Pulse
 - Manure Manager
 - Farm Factor
 - Oklahoma Farm Report
 - Ag Annex
 - Agri-View
 - Morning Ag Clips
 - Ag Inspirations (This is the radio show of one of our AADG Participants)
 - Dairybusiness
 - Farm World Online
 - National Hog Farmer
 - AgWired
 - Farm Futures
 - AgriNews
 - Capital Press
 - Farm Journal
 - Harvest Public Media, KCUR
 - Modern Farmer
 - Progressive Farmer
 - Successful Farming
- Mainstream National Release?

New Media Activities

- Web content updated with Frequent Questions

Outreach Activities

- OEM Listserv and External Notifications
 - Livestock Trade Associations:
 - National Cattleman's Beef Association
 - Arizona Cattle Growers Association
 - National Chicken Council
 - National Turkey Federation
 - US Poultry and Egg Association
 - United Egg Producers
 - National Pork Producers Council
 - National Pork Board
 - National Milk Producers Federation
 - Mid-Atlantic Dairy Association
 - Nisei Farmers League
 - Innovation Center for US Dairy
 - Dairy Farmers of America
 - Dairy Management Inc.
 - Livestock and Poultry Environmental Learning Center (extension agents at land grant universities)
 - Seaboard Farms
 - Tyson Foods
 - State, Local and Tribal Officials
 - National Association of State Title III Officials (NASTPO), SERCs, TERCs, LEPCs
 - National Association of State Departments of Agriculture
 - National Association of Clean Air Agencies – Agriculture Committee
 - American Farm Bureau Federation
 - Agricultural Retailers Association (ARA)
 - The Fertilizer Institute (TFI)
 - National Farmers Union
 - Enviros/NGOs
 - Sierra Club
 - Congressional Notifications

OCIR will provide e-mail notification to congressional committees with substantive jurisdiction:

 - Senate Environment and Public Works
 - Senate Agriculture
 - House Energy and Commerce
 - House Agriculture
 - OCFO will provide e-mail notification to congressional Appropriations committees

Internal Notifications

- Public Affairs (PADs)
- AAs and RAs
- CERCLA EPCRA Guidance Workgroup members

Collateral Materials

Responsible Party

- OEM/SERC-TERC Updates Listserv messages Margaret Gérardin
- News release Christie StClair, OPA
- Desk Statements (pre-pub and post-pub) Trish Taylor, OCPA
- Q&As (external) Sicy Jacob, RID Reg
- Q&As (internal) Sicy Jacob, RID Reg
- Web content Eileen Mayer
- OEM Web-posting Eileen Mayer

TIMELINE

Due Date	Time	Action	Owner
10-3-17		Draft comms plan to AA for approval	George Hull/Trish Taylor OCPA
10-5-17		Draft press release, internal/external QAs to AA for approval	Sicy Jacob/Trish Taylor
10-11-17		Draft comms plan, press release, internal/external QAs to OPA	OPA/OCPA Trish Taylor
10-16-17		Desk Statement re: date extension	OCPA/OPA, Trish Taylor Christie StClair
10-16-17		Guidance / FAQs to OMB to upload to ROCIS* for Interagency Review	OP / PARMS
10-16-17		Revise web content to reflect date extension (original target date Oct 16)	RID Comms Team/Eileen Mayer
10-16-17		External Call: Pork Assoc (Re: date extension notification)	P. Davis
10-xx-17		Interagency Review completed	OP/ PARMS
10-xx-17	Morning of announcement / press release	External Notification Call: Livestock Trade Associations	OEM/RID
	Morning of	External Notification Call: Farm Bureau	OEM/RID
	Morning of	External Notification Call: National Association of State Title III Officials, SERCs, TERCs	OEM/RID
	Morning of	Congressional e-mail notification	George Hull/Carolyn Levine
	Morning of	PAD Notification	Christie St.Clair OPA
	Morning of	AA/RA Notification	Becky Brooks
	Morning of	Post web content and external Q+A	Eileen Mayer
	Afternoon	Issue press release to targeted outlets	Christie St. Clair
	Afternoon (post-press release)	E-mail notification to livestock trade associations, Farm Bureau, State Ag contacts.	Margaret Geradin and George Hull
	Afternoon (post-press release)	OEM Listserv and SERC-TERC Updates Listserv	Margaret Gérardin

* ROCIS: Regulatory Information Service Center/Office of Information and Regulatory Affairs Consolidated Information System Guidance

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 11/8/2017 3:10:07 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: Re: New reporting instructions on the CERCLA/EPCRA Ag Website

Okay thank you

Sent from my iPhone

On Nov 8, 2017, at 9:05 AM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

FYI .. there is a heightened interest in this – so there is a call with Jeff Sands and the PADS and the regional ag advisors today – will keep you posted.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Cellular Phone / Ex. 6 **(mobile)**

From: Taylor, Trish
Sent: Tuesday, November 07, 2017 4:45 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Benjamin, Kent <Benjamin.Kent@epa.gov>; Klinger, Adam <Klinger.Adam@epa.gov>; Brooks, Becky <Brooks.Bekky@epa.gov>
Subject: FW: New reporting instructions on the CERCLA/EPCRA Ag Website
Importance: High

Hi Nancy,

FYSA – If there's still heightened interest in the animal waste emissions guidance, here is an update.

The online ag rule guidance has been updated to reflect recent feedback we've received from stakeholders.

We've heard that some farmers called the NRC and were then contacted by emergency response officials to respond to the release. We suspect that farmers may not be identifying the NRC call as a continuous release report.

To address this we've clarified and reiterated that farmers must identify the reportable release as an "initial continuous release notification. OEM updated the red alert box on the website with this instruction and under the first FAQ, bolded the instructions to identify reportable releases as an "initial continuous release notification."

We've also revised the statement in the red alert box to read: Farms with continuous releases must submit their initial continuous release notification starting on November 15, 2017.

The updates are on the website now at: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>

OEM plans to continue to address input received, in a timely manner.

Please let me know if you have any questions.

Thanks,
Trish

From: Gioffre, Patricia

Sent: Tuesday, November 07, 2017 2:42 PM

To: Cheatham, Reggie <cheatham.reggie@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Indermark, Michele <Indermark.Michele@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Sands, Jeffrey <sands.jeffrey@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>

Cc: Jennings, Kim <Jennings.Kim@epa.gov>; Jacob, Sicy <Jacob.Sicy@epa.gov>; Franklin, Kathy <Franklin.Kathy@epa.gov>; Mayer, Eileen <Mayer.Eileen@epa.gov>; Irizarry, Gilberto <Irizarry.Gilberto@epa.gov>; Woodyard, Josh <Woodyard.Joshua@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>; Swenson, Erik <Swenson.Erik@epa.gov>; Cogliano, Gerain <Cogliano.Gerain@epa.gov>; Hostage, Barbara <Hostage.Barbara@epa.gov>; Noggle, William <Noggle.William@epa.gov>; Hull, George <Hull.George@epa.gov>; Taylor, Trish <Taylor.Trish@epa.gov>; Principe, Vanessa <Principe.Vanessa@epa.gov>

Subject: New reporting instructions on the CERCLA/EPCRA Ag Website

Importance: High

We have heard from an industry stakeholder that some farmers have called the NRC and were then contacted by emergency response officials to respond to the release. We suspect that farmers may not be identifying the NRC call as a continuous release report.

To address this we are reminding farmers that they must identify the reportable release as an "initial continuous release notification. Our web editor quickly updated the red alert box on the website with this instruction and under the first FAQ, bolded the instructions to identify reportable releases as an "initial continuous release notification."

Additionally, to address a request from the NRC, we revised the statement in the red Alert box to say: Farms with continuous releases must submit their initial continuous release notification starting on November 15, 2017.

The revisions are on the website now at: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>

OEM will continue to address concerns like these as they arise and will reach out to the NRC to ensure that reports from farmers are identified as continuous release reports.

Best wishes!

Patty Gioffre
Acting Deputy Division Director
USEPA (OLEM/OEM/RID)
1200 Pennsylvania Ave. NW (5104A)
Washington, DC 20460
202-564-1972

Cellular Phone / Ex. 6 (cell)

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 10/25/2017 3:29:44 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: hewitt.james@epa.gov; Abboud, Michael [abboud.michael@epa.gov]; Jahan Wilcox (wilcox.jahan@epa.gov) [wilcox.jahan@epa.gov]; Konkus, John [konkus.john@epa.gov]; Bolen, Brittany (bolen.brittany@epa.gov) [bolen.brittany@epa.gov]
Subject: Animal Waste Reporting
Attachments: 2017-10-25 UPDATED News Brief on Animal Waste Emissions guidance.docx; 2017-10-25 UPDATED Desk Brief on Animal Waste Emissions guidance.docx

Attached, please find the animal waste reporting release with David's edits incorporated. This should be final. Please let us know when this goes out. Thank you – Liz

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

EPA Releases Guidance on Reporting Air Emissions of Hazardous Substances from Animal Waste at Farms

EPA is releasing guidance to assist farmers in reporting air releases of hazardous substances from animal waste at farms. EPA is making this information available to provide time for farmers to review and prepare for the reporting obligation, which could become effective as early as November 15, 2017.

EPA's guidance information includes links to resources that farmers can use to calculate emissions tailored to specific species of livestock. To view EPA's guidance and Frequently Asked Questions on reporting air emissions from animal waste: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>.

EPA will revise this guidance, as necessary, to reflect additional information to reflect additional information to assist farm owners and operators to meet reporting obligations. Interested parties may submit comments or suggestions by November 24, 2017.

Background: On December 18, 2008, EPA published a final rule that exempted certain farms from reporting air releases of hazardous substances from animal waste. This final rule applied to statutory reporting requirements under:

- Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and
- Section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA), if the farms stable or confine fewer than a certain number of animals.

On April 11, 2017, the DC Circuit Court vacated this final rule.

In response to a request from EPA, the DC Circuit Court extended the date on which its ruling would become effective to November 15, 2017. Unless the court further extends this date, farms (including those previously exempted by EPA's rule) that release hazardous substances to the air from animal wastes equal to or greater than their reportable quantities within any 24-hour period must comply with applicable statutory reporting requirements.

###

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 10/24/2017 3:54:33 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: CERCLA/EPCRA revised Comms Plan and Desk Statement -- animal waste emissions

No? still trying to figure that out.

From: Grantham, Nancy
Sent: Tuesday, October 24, 2017 8:30 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: CERCLA/EPCRA revised Comms Plan and Desk Statement -- animal waste emissions

Hi Liz –

Do you know the timing on this? Also, you had mentioned a broader press outreach (program was only targeting the ag press initially) and the possibility of an Administrator quote.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Cellular Phone / Ex. 6	(mobile)
------------------------	-----------------

From: Taylor, Trish
Sent: Monday, October 23, 2017 3:37 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Hostage, Barbara <Hostage.Barbara@epa.gov>; Cogliano, Gerain <Cogliano.Gerain@epa.gov>; Brooks, Becky <Brooks.Bekky@epa.gov>
Subject: FW: CERCLA/EPCRA revised Comms Plan and Desk Statement

Hi Nancy, Christie and Julia,

I believe the status of this is that OEM is currently incorporating the latest OMB comments and we plan to have the guidance posted online NLT Wed. There is a DOJ aspect of this that would impact our timing for outreach. We'll want to plan for a press release and congressional / listserv notifications to go out same day or before info is posted on regulations.gov. (estimated for Wed. or Thurs. of this week).

Veronica D plans to reach out to you to make sure OPA is in the loop and you should get a calendar invite to the next briefing for this Wed. morning.

I'll be in the office until ~6 p.m., if you have questions.

PARMS would be a good POC if you have litigation questions (Gerain Cogliano and/or Barbara Hostage).

Thanks,
Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

From: Grantham, Nancy
Sent: Thursday, October 19, 2017 8:56 AM
To: Benjamin, Kent <Benjamin.Kent@epa.gov>
Cc: Taylor, Trish <Taylor.Trish@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>; Klinger, Adam <Klinger.Adam@epa.gov>
Subject: Re: CERCLA/EPCRA revised Comms Plan and Desk Statement

Thx

Sent from my iPhone

On Oct 19, 2017, at 8:54 AM, Benjamin, Kent <Benjamin.Kent@epa.gov> wrote:

Good morning Nancy,
I haven't had an update this morning, yet. But as of yesterday OMB and DOJ are still at an impasse about language and content, with OEM stuck in the middle.

We will let you know of any developments ASAP.

Kent A. Benjamin, M.S., Acting Director
Office of Communications, Partnerships and Analysis
Office of Land and Emergency Management
Tel. 202-564-9095; Mobile: Cellular Phone / Ex. 6
Email: benjamin.kent@epa.gov
FOLLOW OLEM on Twitter @EPALand
"There is a difference between planning and preparing."

From: Grantham, Nancy
Sent: Thursday, October 19, 2017 8:51 AM
To: Benjamin, Kent <Benjamin.Kent@epa.gov>
Cc: Taylor, Trish <Taylor.Trish@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>
Subject: Re: CERCLA/EPCRA revised Comms Plan and Desk Statement

Hi - what is the status of this? Thx ng

Sent from my iPhone

On Oct 16, 2017, at 4:28 PM, Benjamin, Kent <Benjamin.Kent@epa.gov> wrote:

FYI: per my voicemail

Here is a draft revised comms plan that takes into account the actions occurring today and the necessarily revised posting date. The CERCLA/EPCRA package can't get posted on the web until OMB receives all materials in ROCIS and gets Interagency comments – which they want up to a work week to do starting today. Changes are in red.

Highlights in the revised draft Comms Plan:

- Press coverage wanted (*National Release) per instructions by Administrator Pruitt today
- Question of whether we add a national release press approach in response to Administrator's request
- Pre and Post publication desk statements
- Reference to CERCLA and EPCRA content being add to ROCIS at OMB by OP Staff
- Possible call by Patrick Davis to Pork Association – presumably using the new sentence in the desk statement about “working expeditiously to make the guidance available to farmers.”

Call if you have questions.

Kent A. Benjamin, M.S., Acting Director
Office of Communications, Partnerships and Analysis
Office of Land and Emergency Management
Tel. 202-564-9095; Mobile: Cellular Phone / Ex. 6
Email: benjamin.kent@epa.gov
FOLLOW OLEM on Twitter @EPAland
“There is a difference between planning and preparing.”

<DRAFT Comm Plan for Animal Waste Emissions Guidance 10-16-17
(v.4).docx>

Message

From: Cohen, Nancy [Cohen.Nancy@epa.gov]
Sent: 12/19/2017 5:46:13 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Breen, Barry [Breen.Barry@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]
Subject: FW: Administration Actions Jan 2017 - Dec 2017 w/ desk statements
Attachments: MC_HQ announcement summary_12_18_17.docx

Nancy G: I'm sending this to you on behalf of Brigid

Thanks, nancy c

From: Grantham, Nancy
Sent: Friday, December 15, 2017 8:10 AM
To: Millett, John <Millett.John@epa.gov>; DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>; Lowery, Brigid <Lowery.Brigid@epa.gov>; Strauss, Linda <Strauss.Linda@epa.gov>; Hubbard, Carolyn <Hubbard.Carolyn@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>; Amorosi, Joanne <Amorosi.Joanne@epa.gov>; McMichael, Nate <McMichael.Nate@epa.gov>; Martin, JohnT <martin.johnt@epa.gov>; Albores, Richard <Albores.Richard@epa.gov>; Hull, George <Hull.George@epa.gov>; Senn, John <Senn.John@epa.gov>; Dieu, Martin <Dieu.Martin@epa.gov>; Kandil, Shereen <Kandil.Shereen@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: FW: Administration Actions Jan 2017 - Dec 2017 w/ desk statements

Hi HQ Comms Directors,

Attached please find a list of EPA Administration actions since January 2017. This was put together by David Gray and his team in Region 6 and we are very grateful for this effort.

We are asking that you take a quick look to make sure we are not missing any key actions from your program areas that have occurred over the past year.

Please do not spend a lot of time on this – we are sure once you review, anything missing will jump out at you.

Please send any additions by Tuesday, December 19th.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Cellular Phone / Ex. 6

EPA Headquarters Policy Announcements since January 2017

EPA Withdraws Information Request for the Oil and Gas Industry

Release Date: 03/02/2017

EPA is withdrawing its request that owners and operators in the oil and natural gas industry provide information on equipment and emissions at existing oil and gas operations.

Statement

This Administration's action will reduce burdens on businesses while we take a closer look at the need for additional information from this industry. Under the previous administration, EPA sent letters to more than 15,000 owners and operators in the oil and gas industry, requiring them to provide information on greenhouse gases.

EPA to Reexamine Emission Standards for Cars & Light Duty Trucks, Model Years 2022-2025

Release Date: 03/15/2017

DOT Secretary Elaine Chao and Administrator Scott Pruitt will revisit the previous administration's rule that finalized standards to increase fuel economy to the equivalent of 54.5 mpg for cars and light-duty trucks by Model Year 2025.

Statement

These standards are costly for automakers and the American people. The Department of Transportation announced that it would re-open the Mid-Term evaluation process and work with the EPA to complete the review in a transparent, data-driven manner. This thorough review will help ensure that this national program is good for consumers and good for the environment.

EPA Administrator Pruitt Previews President's Executive Order on Energy Independence

Release Date: 03/26/2017

Administrator Scott Pruitt previewed the upcoming executive order on the American Energy Independence. He laid out the core message of the pending action, saying job growth and a healthy environment aren't at odds.

Statement

The President's Energy Independence Executive Order supports the need for pro-growth, pro-environment approach to our nation's environmental regulations. The Executive Order will address the past administration's effort to kill jobs throughout the country through the Clean Power Plan.

EPA Administrator Pruitt Denies Petition to Ban Widely Used Pesticide

Release Date: 03/29/2017

Administrator Scott Pruitt signed an order denying a petition that sought to ban chlorpyrifos, a pesticide crucial to U.S. agriculture.

Statement

EPA is providing regulatory certainty to the thousands of American farms that rely on chlorpyrifos while still protecting human health and the environment. By reversing the previous Administration's steps to ban one of the most widely used pesticides in the world, we are returning to using sound science in decision-making.

EPA Administrator Sends Clean Power Plan Guidance Letter to Governors

Release Date: 03/30/2017

Administrator Scott Pruitt sent letters to state governors advising them that they are under no obligation to adhere to the Clean Power Plan (CPP) rule.

Statement

This administration has fulfilled its promise of cooperative federalism and acted on the President's Energy Independence Executive order by advising state governors that they are under no obligation to adhere to the Clean Power Plan rule. EPA looks forward to working with states and local communities to develop a path forward to improve our environment and bolster the economy in a manner that is respectful of and consistent with the rule of law.

Regulatory Reform Underway at EPA

Release Date: 04/11/2017

EPA's Regulatory Reform Task Force, led by the Office of Policy, submitted a Federal Register notice today to solicit public comments on EPA regulations.

Statement

In a vital step toward implementing the President's Executive Order, "Enforcing the Regulatory Reform Agenda," EPA's Regulatory Reform Task Force solicited public comments on EPA regulations. The administration is committed to working with the public and EPA program offices to gather their recommendations for specific rules that should be considered for repeal, replacement or modification.

EPA Administrator Pruitt Statement on OMB Guidance on Reorganizing the Government

Release Date: 04/13/2017

Administrator Scott Pruitt supports the Office of Management and Budget's guidance on implementing President Trump's plans for reorganizing the federal government and reducing the government workforce.

Statement

In support of President Trump's plans for reorganizing the federal government and reducing the government workforce, the administration will work with EPA staff to effectively use every taxpayer dollar entrusted to the agency. EPA will return to its core statutory mission, and focusing on greater value and results, and partner with states and tribes to ensure a thoughtful approach is used to maximize resources to protect our air, land, and water.

EPA to Reconsider Oil and Gas Rule

Release Date: 04/19/2017

EPA announced the agency's intent to grant a reconsideration of the Oil and Gas New Source Performance Standards for New, Reconstructed, and Modified Sources Rule (NSPS Rule/Methane NSPS/Oil and Gas Rule/0000a).

Statement

In continued support of the President's Energy Independence Executive Order, EPA reconsidered the Oil and Gas New Source Performance Standards for New, Reconstructed, and Modified Sources Final Rule. EPA believes American businesses should have the opportunity to review new requirements, assess economic impacts and report back, before those new requirements are finalized.

EPA Kicks Off Website Updates

Release Date: 04/28/2017

EPA.gov, the website for the United States Environmental Protection Agency, is undergoing changes that reflect the agency's new direction under President Donald Trump and Administrator Scott Pruitt.

Statement

Updating and improving EPA's website reflects the agency's new direction under the leadership of President Donald Trump and Administrator Scott Pruitt. With a commitment to transparency, the changes ensure the website's usefulness to the public in understanding the agency's work while complying with agency ethics and legal guidance, including the use of proper archiving procedures.

EPA Extends Timeline for Pesticide Applicators Rule

Release Date: 05/11/2017

Administrator Scott Pruitt announced a 12-month extension for implementation of the revised final Certification and Training of Pesticide Applicators (C&T) rule.

Statement

To achieve both environmental protection and economic prosperity, EPA must give the regulated community, which includes farmers and ranchers, adequate time to comply with regulations. Extending the timeline for implementation of this rule will enable EPA to consult with states, assist with education, training and guidance, and prevent unnecessary burdens from overshadowing the rule's intended benefits.

Bill Signed by President Trump Gives EPA's WIFIA Program Additional Help to Meet Communities' Water Infrastructure Needs

Release Date: 05/17/2017

EPA's Water Infrastructure Finance and Innovation Act (WIFIA) program received an additional \$8 million for credit subsidy in the Consolidated Appropriations Act of 2017, signed into law by President Donald Trump on May 5, 2017.

Statement

EPA received 43 letters of interest for WIFIA loans from public and private entities with a collective request of \$6 billion, demonstrating the high need to invest in water infrastructure improvements in communities across the nation and the value that WIFIA financing can offer. Thanks to President Trump and Congress, this additional funding will accelerate the construction of projects to meet communities' water infrastructure needs.

EPA Announces Superfund Task Force

Release Date: 05/22/2017

As part of his continued effort to prioritize Superfund cleanups, U.S. Environmental Protection Agency Administrator Scott Pruitt today announced the creation of a Superfund task force to provide recommendations within 30 days on how the EPA can streamline and improve the Superfund program. This includes: restructuring and expediting the cleanup process; reducing the burden on cooperating parties; incentivizing parties to remediate sites; encouraging private investment in cleanups and sites; and, promoting the revitalization of properties across the country.

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Statement

I am confident that, with a renewed sense of urgency, leadership and fresh ideas, the Superfund program can reach its full potential of returning formerly contaminated sites to communities for their beneficial use.

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EPA Budget Returns Focus to Core Statutory Mission

Release Date: 05/23/2017

The proposed Fiscal Year 2018 budget for the U.S. Environmental Protection Agency, announced today, provides \$5.655 billion to help the agency protect human health and the environment.

Statement

This budget supports EPA's highest priorities with federal funding for priority work in infrastructure, air and water quality, and ensuring the safety of chemicals in the marketplace. It respects the American taxpayer by aiming to reduce redundancies and inefficiencies and prioritize EPA's core statutory mission of providing Americans with clean air, land, and water.

EPA Stays Landfill Methane Rules

Release Date: 05/23/2017

EPA announced a 90-day administrative stay for the August 2016 New Source Performance Standards and Emissions guidelines for municipal solid waste landfills.

Statement

The administration estimates that implementing these rules would cost businesses more than \$100 million per year to install and operate gas collection and control systems. Reconsidering portions of the landfill rules will give stakeholders the opportunity to review these requirements, assess economic impacts and provide feedback to the agency through the reconsideration process.

EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

Release Date: 06/06/2017

Administrator Scott Pruitt sent a letter to governors today to inform them of EPA's efforts related to the National Ambient Air Quality Standards (NAAQS) for ozone promulgated in October 2015.

Statement

This administration understands areas designated as being in "nonattainment" of the standard face consequences, including: increased regulatory burdens, restrictions on infrastructure investment, and increased costs to businesses. Because states have made tremendous progress and significant investment cleaning up the air, EPA is giving states more time to develop air quality plans and will provide greater flexibility to states as they develop their plans.

EPA Extends RMP Effective Date to 2019

Release Date: 06/12/2017

Administrator Scott Pruitt signed a final rule to further delay the effective date of EPA's Risk Management Program (RMP) Amendments an additional 20 months to allow the agency to conduct a reconsideration proceeding and to consider other issues that may benefit from additional comment.

Statement

This action allows EPA time to evaluate the RMP amendments and to thoughtfully consider questions and concerns submitted through multiple petitions and other comments received during the public comment period and public hearing.

United States Resets Climate Change Discussion At G7

Release Date: 06/12/2017

Administrator Scott Pruitt announced that the United States stands firm on its decision to withdraw from the Paris Agreement and has reset the conversation about climate change reflective of the new priorities of the Trump Administration and the expectations of the American people.

Statement

This action of reaching consensus on important environmental issues makes clear that the Paris Agreement is not the only mechanism by which environmental stewardship can be demonstrated. It also demonstrates EPA's commitment to honest conversations, which are the cornerstone of constructive international dialogue

EPA Proposes Longer Stay of Portions of Oil and Gas Standards

Release Date: 06/13/2017

EPA is taking steps to ensure portions of the agency's 2016 New Source Performance Standards for the oil and natural gas industry do not take effect while the agency works through the reconsideration process.

Statement

In consideration of several petitions the agency has received to reconsider certain aspects of this potentially burdensome rule, EPA will take additional time to review these concerns which impact one of our nation's most important industries.

EPA Marks Chemical Safety Milestone on 1st Anniversary of Lautenberg Chemical Safety Act

Release Date: 06/22/2017

Today, on the one-year anniversary of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, Administrator Scott Pruitt announced that EPA has met its first-year statutory responsibilities under the law.

Statement

This administration is committed to providing regulatory certainty to American businesses, while protecting human health and the environment. The new process for evaluating existing chemicals outlined in these rules will increase public confidence in chemical safety without stifling innovation.

EPA, U.S. Army Move to Rescind 2015 "Waters of the U.S."

Release Date: 06/27/2017

The Environmental Protection Agency, Department of Army, and Army Corps of Engineers (the agencies) are proposing a rule to rescind the Clean Water Rule and re-codify the regulatory text that existed prior to 2015 defining "waters of the United States" or WOTUS.

Statement

The administration is taking significant action to return power to the states and provide regulatory certainty to our nation's farmers and businesses. EPA is committed to moving through this re-evaluation to quickly provide regulatory certainty in a way that is thoughtful, transparent and collaborative with other agencies and the public

EPA Proposes RFS Volumes Reflective of Market Realities for 2018

Release Date: 07/05/2017

EPA signed a proposed rule setting the minimum amount of renewable fuels that must be supplied to the market in calendar year 2018 under the Renewable Fuel Standards (RFS) program.

Statement

EPA is committed to successfully administering the RFS consistent with the direction entrusted to the Agency by Congress. The proposed new volumes are consistent with market realities focused on actual production and consumer demand while acknowledging challenges in bringing advanced biofuels into the marketplace. Timely implementation will provide certainty to American refiners, the agriculture community and broader fuels industry.

EPA Announces Superfund Task Force Recommendations

Release Date: 07/25/2017

EPA's Superfund Task Force released their report to EPA Administrator Scott Pruitt, providing 42 specific and detailed recommendations to streamline and improve the Superfund program.

Statement

This task force is a team effort between career and political EPA staff, working together to develop recommendations that are detailed, but also workable. This process ensures we can expedite the protection of human health and the environment around these properties and accelerate reuse while carrying out one of the agency's core missions.

New Tool Helps Communities Access \$10 Billion in Water Infrastructure Financing

Release Date: 07/26/2017

EPA is launching the Water Finance Clearinghouse, a web-based portal to help communities make informed financing decisions for their drinking water, wastewater, and stormwater infrastructure needs.

Statement

Investing in water infrastructure sustains local economies by creating jobs, protecting public health, and increasing quality of life. EPA's Clearinghouse serves as a vital portal that helps connect the many communities struggling with aging or inadequate water infrastructure with the information and tools they need to finance much-needed improvement projects.

Federal Partnership Launches Water Quality Challenge Piloting Low-Cost Nutrient Sensors for Local Decision-Making

Release Date: 07/26/2017

Today, a federal partnership launched a technology-accelerating water quality challenge to demonstrate how nutrient sensors can be used by states and local communities to help manage nutrient pollution.

Statement

This partnership demonstrates the power of innovation in developing affordable, high-performing solutions to one of the nation's most extensive water quality issues. By finding ways to address algal blooms, EPA can help industries, sectors and communities that depend on clean water while saving federal, state, and local governments billions of dollars every year in combating nutrient pollution.

EPA Adds Superfund Sites to National Priorities List to Clean Up Contamination

Release Date: 07/31/2017

EPA is adding seven and proposing to add four hazardous waste sites to the Superfund program's National Priorities List (NPL).

Statement

This administration aims to restore the Superfund program to its rightful place at the center of the agency's core mission. By adding sites to the Superfund National Priorities List we ensure they are cleaned up to make these communities healthier places to live, and clear the way for development and increased economic activity.

Air Quality Continues to Improve, While U.S. Economy Continues to Grow

Release Date: 08/02/2017

EPA released its annual report on air quality, showing the significant progress the United States has made to improve air quality across the country.

Statement

EPA is proud to highlight nearly 75 percent reduction in six key pollutants since 1970, during a period in which the U.S. economy grew more than three times. EPA remains committed to working with states, tribes, and local air agencies to help more areas of the country come into compliance so all Americans receive the benefits of clean air.

EPA Continues to Work With States on 2015 Ozone Designations

Release Date: 08/02/2017

EPA is moving forward with 2015 ozone designations, working with states to help areas with underlying technical issues, disputed designations, and/or insufficient information.

Statement

The Clean Air Act gives EPA the flexibility to allow one additional year for sufficient information to support ozone designations. This action reinforces our commitment to working with the states through the complex designation process.

EPA Eliminates New-Chemical Backlog, Announces Improvements to New Chemical Safety Reviews

Release Date: 08/07/2017

Following through with Administrator Pruitt's commitment to eliminating the backlog of new chemical cases that were stuck in EPA's review processes upon his confirmation, he is reporting that the backlog is eliminated.

Statement

When Administrator Pruitt was confirmed, over 600 new chemicals were 'stuck' in the EPA review process. The current caseload is back at the baseline and now in line with the typical active workload. With the ongoing commitment of the

staff working on TSCA reviews, and input from stakeholders, EPA will ensure a new chemicals program that is both protective of human health and the environment, while also being supportive of bringing new chemicals to market.

EPA Issues Guidance on State Coal Ash Management Permit Programs

Release Date: 08/10/2017

EPA released an interim final guidance to help states develop and submit permit programs for the safe management of coal combustion residuals (CCR), commonly known as coal ash, to EPA for review and approval.

Statement

As part of EPA's ongoing commitment to cooperative federalism, the agency encourages States to consult this interim final guidance as they develop and submit programs to EPA for review and approval. EPA will continue to consult with our state partners to find the best management strategy for the safe disposal of coal ash in each of their states.

Updates to EPA's EJSCREEN Provide Access to Important New Data

Release Date: 08/16/2017

EPA today launched its annual update of EJSCREEN, the Agency's nationally acclaimed environmental justice screening and mapping tool.

Statement

EJSCREEN is one of the agency's most popular tools, regularly used by other federal, Tribal, state and local government partners as well as by nonprofit and community groups, business and industry, and academia. It increases the agency's transparency about how we consider environmental justice, to assist our partners and stakeholders in making informed decisions, and to create a common starting point between EPA and others when looking at issues related to environmental justice.

EPA and the Army Seek Input in the Review of the Waters of the U.S. Rule

Release Date: 08/25/2017

EPA and U.S. Department of the Army (the agencies) will hold 11 sessions to give stakeholders an opportunity to provide recommendations on a revised definition of "waters of the United States."

Statement

EPA is committed to an open and transparent process for reviewing the definition of 'waters of the United States.' Receiving input from across the country will help us make informed decisions as we move through our two-step process that will return power to the states and to provide regulatory certainty to our nation's farmers and businesses

EPA Approves Emergency Fuel Waivers for 38 States and Washington, D.C.

Release Date: 09/07/2017

As a result of the continuing impacts on Gulf Coast-area refineries and disruption to the fuel distribution system caused by Hurricane Harvey and the effects of large-scale evacuations in response to Hurricane Irma, Administrator Scott Pruitt today exercised EPA's emergency fuel waiver authority to help ensure an adequate supply of fuel.

Statement

Helping ensure an adequate supply of fuel throughout the country is vital to maintaining our nation's economy and services during emergency events. EPA, in coordination with the Department of Energy, will continue to offer this relief as appropriate.

EPA Finalizes Rule to Postpone Steam Electric Power Plant Effluent Guidelines Rule

Release Date: 09/13/2017

EPA has finalized a rule postponing certain compliance dates by two years for the effluent limitations guidelines and standards for steam electric power plants (ELG Rule) that were issued in November 2015.

Statement

This action provides relief for power plants from regulatory deadlines while the agency reconsiders existing effluent guidelines. Giving facilities time to comply benefits industry and our economy.

EPA to Reconsider Certain Coal Ash Rule Provisions

Release Date: 09/14/2017

EPA has granted two petitions to reconsider substantive provisions of the final rule regulating coal combustion residuals (CCR) as nonhazardous waste under subtitle D of the Resource Conservation and Recovery Act (RCRA).

Statement

EPA granted these petitions to consider improvements that may help states tailor their permit programs to their needs in a way that provides greater regulatory certainty, while also ensuring that human health and the environment remain protected. It was appropriate and in the public's interest to reconsider specific provisions of the final CCR rule based in part on the authority provided through the Water Infrastructure for Improvements to the Nation (WIIN) Act.

EPA Launches Smart Sectors Program

Release Date: 10/03/2017

Administrator Scott Pruitt announced the launch of Smart Sectors, a partnership program between the Agency and regulated sectors focused on achieving better environmental outcomes.

Statement

The Smart Sectors program is designed to effectively engage business partners throughout the regulatory process. When industries and regulators better understand each other, the economy, public, and the environment all benefit.

EPA Takes Another Step To Advance President's America First Strategy, Proposes Repeal Of "Clean Power Plan"

Release Date: 10/10/2017

Administrator Scott Pruitt issued a Notice of Proposed Rulemaking (NPRM), proposing to repeal the so-called "Clean Power Plan (CPP)."

Statement

The Supreme Court issued a historic, unprecedented stay of the Clean Power Plan, prompted by the overreach of the previous administration. EPA is committed to clearing the regulatory slate. Any replacement rule will be done carefully, properly, and with humility, by listening to all those affected by the rule.

Administrator Pruitt Addresses National Tribal Operations Committee

Release Date: 10/11/2017

Administrator Scott Pruitt addressed the National Tribal Operations Committee (NTOC) where he spoke on pressing issues facing environmental leaders in Indian country and how best to collaborate on shared goals and challenges.

Statement

EPA is committed to working and partnering with tribal governments to address our shared environmental concerns and challenges. Tribal government play an important role in environmental management, and through the unique government-to-government relationship that tribes have with the federal government, we engage in the process as co-regulators.

EPA and States' Collective Efforts Lead to Regulatory Action on Dicamba

Release Date: 10/13/2017

EPA has reached an agreement with Monsanto, BASF and DuPont on measures to further minimize the potential for drift to damage neighboring crops from the use of dicamba formulations used to control weeds in genetically modified cotton and soybeans.

Statement

EPA has worked intensely and collaboratively with the states and university scientists from across the nation who have first-hand knowledge of the problem and workable solutions to develop this action. Through this example of cooperative federalism, the new requirements for the use of dicamba will allow farmers to make informed choices for seed purchases for the 2018 growing season.

Administrator Pruitt Issues Directive to End EPA "Sue & Settle"

Release Date: 10/16/2017

In fulfilling his promise to end the practice of regulation through litigation that has harmed the American public, EPA Administrator Scott Pruitt issued a directive today designed to end "sue and settle" practices within the Agency.

Statement

The days of regulation through litigation are over. This decision provides an unprecedented level of public participation and transparency in EPA consent decrees and settlement agreements. Special-interest groups will no longer be able to use lawsuits that seek to force EPA issue regulations that advance their interests and priorities, on their specified timeframe.

EPA Helps Communities Grow Local Food Economy, Spur Revitalization

Release Date: 10/19/2017

Today, the U.S. Environmental Protection Agency released a new toolkit to help communities interested in using local foods to support downtown and neighborhood revitalization.

Statement

By investing in local foods, communities can preserve farmlands and protect the environment while bringing new jobs and business opportunities to main street. This program allows local officials, community groups, businesses and citizens to explore the benefits of using farmers markets, community kitchens and other food-related enterprises to revitalize communities and develop action plans for pursuing those goals.

Administrator Pruitt Meets with Superfund Stakeholders in Texas

Release Date: 10/20/2017

Administrator Scott Pruitt met with stakeholders at the Harris County Office who are monitoring cleanup efforts at the San Jacinto Superfund site that is contaminated with highly toxic dioxin.

Statement

EPA is committed to helping dispose of these toxic materials in a cost-effective and efficient way to better ensure a healthy and safe environment for nearby residents. This decision will provide overall certainty by permanently addressing the contamination risks instead of capping the site.

EPA Releases Energy Independence Report

Release Date: 10/25/2017

Today, EPA released its final report on implementing President Trump's executive order to curb regulatory burdens in order to promote energy production and economic growth while protecting human health and the environment.

Statement

At EPA, being both pro-jobs and pro-environment means we are working to curb unnecessary and duplicative regulatory burdens that do not serve the American people while continuing to partner with states, tribes and stakeholders to protect our air, land, and water.

EPA Releases Guidance on Reporting Air Emissions of Hazardous Substances from Animal Waste at Farms

Release Date: 10/26/2017

Today, EPA is releasing guidance to assist farmers in reporting air releases of hazardous substances from animal waste at farms.

Statement

Farmers are some of the most important contributors to our nation's economy, and EPA is working diligently to address undue regulatory burden on this vital sector. EPA's guidance is designed to help farmers comply with the current requirements while we continue to examine our options for reporting requirements for emissions from animal waste.

EPA Enforcement Actions Help Protect Vulnerable Communities Across the Country from Lead-Based Paint Health Hazards

Release Date: 10/27/2017

As part of Lead Poisoning Prevention Week, EPA today announced 127 federal enforcement actions completed over the last year to ensure entities like renovation contractors, landlords and property managers are in compliance with regulations that require them to protect communities and the public from exposures to lead.

Statement

EPA's work to enforce federal lead paint laws helps protect communities across the country and ensures those who break the law are held accountable for their illegal actions. These cases also help maintain a level playing field for companies that follow the rules and comply with the law.

Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA Science Committees

Release Date: 10/31/2017

Administrator Scott Pruitt issued a new directive today to ensure that any advisors serving on an EPA Federal Advisory Committee (FAC) are independent and free from any real, apparent, or potential interference with their ability to objectively serve as a committee member.

Statement

This action ensures EPA advisory committee members will be financially independent from the Agency. It also will significantly increase geographic diversity and state, tribal, and local government participation on the committees and ensure whatever science comes out of EPA will not be political science.

EPA Announces Public Hearing on Proposed Repeal of Clean Power Plan

Release Date: 11/02/2017

EPA will hold a public hearing on the proposed repeal of the Clean Power Plan in Charleston, WV on November 28-29, 2017.

Statement

EPA is committed to hearing from those most impacted by the Clean Power Plan and getting their comments on the proposed repeal. We look forward to hearing from all interested stakeholders.

EPA Announces Intention To Nominate Members To Three Important Federal Advisory Committees

Release Date: 11/03/2017

Administrator Scott Pruitt announced his intention to appoint members who will serve on the Board of Scientific Counselors (BOSC), the Clean Air Science Advisory Committee (CASAC) and the Science Advisory Board (SAB).

Statement

EPA is ensuring the best independent scientific advice is given by appointing highly-qualified experts and scientists to these important committees. In a fair, open, and transparent fashion, EPA reviewed hundreds of qualified applicants nominated for these committees. Members who will be appointed include experts throughout the environmental stakeholder community, including from NGOs, academia, industry, and state, tribal and local officials.

EPA, Working with States and Tribes, Makes Final Attainment Designations for 2015 Ozone NAAQS

Release Date: 11/06/2017

Consistent with the states' and tribes' recommendations, the U.S. Environmental Protection Agency (EPA) is moving forward with designations for close to 90 percent of the country.

Statement

This action shows our commitment to working with our state and tribal partners on one of the most important areas of EPA's work – ensuring that more Americans are living and working in areas that meet national air quality standards. After EPA establishes or revises an air quality standard, the Agency will follow a process, dictated by the Clean Air Act, by which states recommend area designations to EPA. The Agency then evaluates their recommendations prior to making its final designations.

Administrator Pruitt Advances Effort to Keep EPA within Regulatory Lane with Proposed Repeal of Glider Provisions from Heavy-Duty Truck Rule

Release Date: 11/09/2017

EPA proposes to undo the regulatory overreach of the prior administration by repealing application of the Medium- and Heavy-Duty Truck Phase II Greenhouse Gas Emission and Fuel Efficiency Standards for the glider industry.

Statement

EPA is taking comment on an interpretation of the Clean Air Act that recognizes the unique nature of a vehicle made up of both new and used component parts. The Agency is proposing that gliders should not be regulated as "new motor vehicles" or "new motor vehicle engines" under section 202(a)(1) of the Clean Air Act. This action does not affect nor propose to affect EPA's authority to address heavy-duty engine rebuilding practices under Clean Air Act section 202(a)(3)(D).

EPA Celebrates Recycling Progress, Economic Contribution on 20th America Recycles Day

Release Date: 11/15/2017

Today, on the 20th America Recycles Day, the U.S. Environmental Protection Agency (EPA) celebrates the importance of recycling to our nation's economy.

Statement

We are encouraging all Americans to recycle more today, and every day. With a greater focus on recycling, the U.S. recycling rate has more than tripled over the last 30 years to the current rate of 34 percent. According to our most recent data from 2007, recycling and reuse activities created 757,000 jobs, produced \$36.6 billion in wages and \$6.7 billion in tax revenues in the United States in that year.

EPA Announces Availability of \$1.2 Million in Environmental Justice Collaborative Problem-Solving Cooperative Agreements

Release Date: 11/16/2017

EPA announced today the availability of \$1.2 million for Environmental Justice Collaborative Problem-Solving (CPS) Cooperative Agreements.

Statement

EPA's Environmental Justice Collaborative Problem-Solving Cooperative Agreements help non-profit and tribal organizations to partner with stakeholders from across industry, government, and academia to develop and implement solutions that significantly address environmental and/or public health issues in America's low income and minority communities. By focusing this year's grant on rural areas, EPA can increase outreach to underserved communities.

EPA and the Army Propose to Amend the Effective Date of the 2015 Rule Defining "Waters of the United States"

Release Date: 11/16/2017

EPA and U.S. Department of the Army (the agencies) are proposing to amend the effective date of the 2015 rule defining “waters of the United States.”

Statement

This proposal shows our commitment to our state and tribal partners and to providing regulatory certainty to our nation’s farmers, ranchers and businesses allowing us to minimize confusion as we continue to receive input from across the country on how we should revise the definition of the ‘waters of the United States.’ EPA and the Army are taking this action to provide certainty and consistency to the regulated community.

EPA Assesses Sunken, Leaking Marine Vessels

Release Date: 11/20/2017

EPA is supporting Puerto Rico, the U.S. Virgin Islands and the U.S. Coast Guard in marine vessel recovery work. Teams continue to locate, assess and retrieve sunken, damaged and derelict vessels around Puerto Rico and the USVI.

Statement

Hurricane response is one of the agency’s most important missions. EPA remains focused on environmental impacts and potential threats to the health and safety of those in the affected areas from spills and hazardous substances that might be onboard the vessels.

EPA is Clearing Out the Agency’s FOIA Backlog

Release Date: 11/21/2017

EPA announced that the Agency is on track to significantly reduce the backlog of Freedom of Information Act (FOIA) requests received prior to 2017.

Statement

EPA is committed to transparency and we are quickly responding to the challenge to clear the backlog of FOIAs. EPA’s National FOIA Office and offices across the agency have been working hard to clear the backlog of FOIA requests that existed at the start of 2017.

DC Circuit Court Grants Trump EPA Request to Extend Deadline for Farmers to Report Emissions from Livestock Operations

Release Date: 11/28/2017

On November 22, 2017, in response to a request from the Trump administration EPA, the DC Circuit Court of Appeals effectively extended the deadline for farmers to report air releases of hazardous substances from animal waste at livestock operations until January 22, 2018.

Statement

EPA is giving farmers and ranchers additional time in order to provide compliance assistance to farmers, update its guidance, and develop a more-streamlined reporting form. With the Court’s decision, farmers are not required to report emissions from animal waste at these facilities until after the Court issues its mandate, expected no sooner than January 22, 2018.

EPA Finalizes RFS Volumes for 2018 and Biomass Based Diesel Volumes for 2019

Release Date: 11/30/2017

EPA finalized a rule that establishes the required renewable fuel volumes under the Renewable Fuels Standard (RFS) program for 2018, and biomass-based diesel for 2019.

Statement

Maintaining the renewable fuel standard at current levels ensures stability in the marketplace and follows through with EPA’s commitment to meet the statutory deadlines and upholding the rule of law. The Clean Air Act requires EPA to set the RFS volume requirements annually and to finalize the standards by November 30th for the following year.

The final standards for 2018, and for biomass-based diesel for 2019, are only slightly changed from the proposed standards that EPA issued earlier this year.

EPA to Co-host National Brownfields Training Conference in Pittsburgh

Release Date: 12/01/2017

EPA and the International City/County Management Association (ICMA) are co-sponsoring the National Brownfields Training Conference in Pittsburgh Dec. 4-7 at the David L. Lawrence Convention Center.

Statement

Cleaning up Brownfields sites and returning them to reuse is a priority of this Administration. We are providing an opportunity to support private and public investment in economic revitalization to help improve environmental outcomes across the country. Addressing the nation's brownfields - abandoned or underutilized properties stigmatized by past commercial or industrial uses - is an ongoing challenge for communities of every size.

EPA Determines Risks from Hardrock Mining Industry Minimal and No Need for Additional Federal Requirements

Release Date: 12/01/2017

EPA announced that the Agency will not issue final regulations for financial responsibility requirements for certain hardrock mining facilities.

Statement

After careful analysis of public comments, the statutory authority, and the record for this rulemaking, we are confident that modern industry practices, along with existing state and federal requirements address risks from operating hardrock mining facilities. EPA published proposed regulations under section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund) on January 11, 2017, and the public comment period closed on July 11, 2017.

EPA Launches Cross-Agency Effort to Address PFAS

Release Date: 12/04/2017

EPA is announcing a cross-agency effort to address per and polyfluoroalkyl Substances (PFAS). PFAS, which includes PFOA, PFOS and GenX, are a diverse group of compounds resistant to heat, water, and oil that are persistent in the environment and resist degradation.

Statement

EPA's efforts build on the work that the Agency has done to establish non-regulatory drinking water health advisories for PFOA and PFOS. The Agency's water and research offices will lead these efforts and they will bring together expertise from across the Agency including top scientists from EPA's air, chemicals, land, research, and water offices.

EPA Announces More Public Listening Sessions on Proposed Repeal of Clean Power Plan

Release Date: 12/06/2017

EPA will hold three additional public listening sessions on the proposed repeal of the Clean Power Plan in San Francisco, Calif., Gillette, Wyo. and Kansas City, Mo.

Statement

Due to the overwhelming response to our West Virginia hearing, we are announcing additional opportunities for the public to voice their views to the Agency. Public listening sessions will be on EPA's proposed repeal of the Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units (commonly known as the Clean Power Plan).

President Trump Appoints EPA Administrator Scott Pruitt as Chair of the Gulf Coast Ecosystem Restoration Council

Release Date: 12/06/2017

Today, President Donald Trump appointed U.S. Environmental Protection Agency Administrator Scott Pruitt as the new chairperson of the Gulf Coast Ecosystem Restoration Council (Council).

Statement

With Administrator Pruitt as chair, the council is poised to build on our foundation of collaboration among members over the past five years. Along with our restoration partners, the council is ready to advance our efforts to restore the Gulf ecosystem and economy from the worst environmental disaster in the nation's history.

Administrator Pruitt Meets with National Environmental Justice Advisory Council

Release Date: 12/07/2017

EPA Administrator Scott Pruitt met with members of the National Environmental Justice Advisory Council (NEJAC) to discuss Fiscal Year 2018 priorities including guidelines for meaningful public participation and EPA's Superfund Task Force recommendations.

Statement

Environmental justice dialogues are critical to improving environmental and public health outcomes. Established in 1993, NEJAC provides advice and recommendations about broad, cross-cutting issues related to environmental justice to the EPA Administrator.

EPA Releases List of Superfund Sites Targeted for Immediate, Intense Attention

Release Date: 12/8/2017

EPA released the list of Superfund sites that Administrator Pruitt has targeted for immediate and intense attention. The 21 sites on the list – from across the United States – are in direct response to the Superfund Task Force Recommendations, issued this summer, calling for this list. In developing this initial list, EPA considered sites that will benefit from Administrator Pruitt's direct engagement and have identifiable actions to protect human health and the environment. These are sites requiring timely resolution of specific issues to expedite cleanup and redevelopment efforts.

Statement

By elevating these sites we are sending a message that EPA is, in fact, restoring its Superfund program to its rightful place at the center of the Agency's mission. Getting toxic land sites cleaned up and revitalized is of the utmost importance to the communities across the country that are affected by these sites. I have charged the Superfund Task Force staff to immediately and intently develop plans for each of these sites to ensure they are thoughtfully addressed with urgency. By getting these sites cleaned up, EPA will continue to focus on ways we can directly improve public health and the environment for people across America.

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WEEK OF 12/18/17 - PLACEHOLDER FOR NPL DELETIONS

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Message

From: McLendon, Wanda [McLendon.Wanda@epa.gov]
Sent: 2/21/2018 5:31:53 PM
To: Beasley, Julie [Beasley.Julie@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Casillas, Laura [Casillas.Laura@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Commodore, Carolin [Commodore.Carolin@epa.gov]; Deitz, Rachel [Deitz.Rachel@epa.gov]; Fitz-James, Schatzi [Fitz-James.Schatzi@epa.gov]; Fredericks, Sharon [Fredericks.Sharon@epa.gov]; Gartner, Lois [Gartner.Loïs@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Hostage, Barbara [Hostage.Barbara@epa.gov]; Huff, Mark J [huff.markj@epa.gov]; Huggins, Richard [Huggins.Richard@epa.gov]; Hull, George [Hull.George@epa.gov]; Indermark, Michele [Indermark.Michele@epa.gov]; Johnson, Barnes [Johnson.Barnes@epa.gov]; Jones, Teresa D. [Jones.TeresaD@epa.gov]; Kenely, Caroline [Kenely.Caroline@epa.gov]; Lloyd, David [Lloyd.DavidR@epa.gov]; London, Bernadine [London.Bernadine@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Minor-Gordon, Jerry [Minor-Gordon.Jerry@epa.gov]; Pollard, Marcia [Pollard.Marcia@epa.gov]; Radtke, Meghan [Radtke.Meghan@epa.gov]; Reed, Kristen [Reed.Kristen@epa.gov]; Reynolds, David [Reynolds.David@epa.gov]; Schmitt, Stephen [Schmitt.Stephen@epa.gov]; Williams, Sheretta [Williams.Sheretta@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]; Smith, Susan [Smith.Susan@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Stewart, Tracey [Stewart.Tracey@epa.gov]; Thornton, Kecia [Thornton.Kecia@epa.gov]; Ward, Valerie [Ward.Valerie@epa.gov]; Wilbur, Jennifer [Wilbur.Jennifer@epa.gov]; Woolford, James [Woolford.James@epa.gov]; Worley, Ray [Worley.ray@epa.gov]
CC: Carter, Donnell [Carter.Donnell@epa.gov]
Subject: OLEM Preview Report -- Week Ending 3-2-2018
Attachments: Preview for Week Ending March 2, 2018.docx

Wanda Y. McLendon

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Organizational Management and Integrity Staff
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OFFICE OF LAND AND EMERGENCY MANAGEMENT

CONTROLLED CORRESPONDENCE and FOIA REQUESTS

PREVIEW For Week Ending:

March 2, 2018

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
IO	AX-17-001-2251 Robert E. Murray	Recommend EPA take immediate steps to postpone the compliance deadlines under the Coal Combustion Residuals (CCR) rule	2-20-2018	Sent for review to Becky Brooks
	AL-18-000-2865 Tom Carper	CERCLA/EPCRA air emissions reporting	2-10-2018	Sent for review to Becky Brooks
	AL-18-000-4127 Kurt Schrader	Support of Mario County's FY18 Brownfield Community-Wide Assessment Grant	2-19-2018	Sent for review to Becky Brooks
OEM	OLEM-18-000-2229 Fred storer	COMMENT-Risk Management Plans/Offsite Consequence Analysis/Worst case for LPGs	2-15-2018	Pending in OEM
	AX-17-000-2823 Ellie Soto	Oil Spills and their effect of the earth	2-15-2018	Pending in OEM
	AX-17-000-9900 Michael Poles	Student Letter-Cleanup of oil spills	2-23-2017	Pending in OEM
	AX-17-001-1639 John H. Reaves	Are the nutrients in cattle waste Superfund hazardous substances?	2-15-2018	Pending in OEM; Need OGC input
	AL-18-000-4153 John Hoeven	CERCLA/EPCRA Reporting Mandate	2-15-2018	Pending in OEM
	EPA-HQ-2014-006764 Rick Hind	Requesting copies of all releasable documents and records regarding EPA meetings and communications with petro-chemical industry representatives regarding chemical facility safety, security and disaster prevention	2-9-2017	Records have been uploaded into FOIA online; Waiting for OD's signature on final response letter.

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
	EPA-HQ-2014-007716 Sam Pearson	All communications, including memos, emails, or any other written correspondence, related to the release of the report of the interagency task force on chemical safety (“A Shared Commitment: Improving Chemical Facility Safety and Security”) on or around June 6, 2014	12-23-2015	Pending in OEM; all documents have been identified “unredacted unreleasable;” contact requester
	EPA-HQ-2015-005948 Marquel Jordan	Requesting copies of any and all documents or records possessed by EPA concerning Lawrence M. Stanton’s activities on or about January 9, 2014 or the environmental testing and cleanup thereafter	12-23-2015	Pending in OEM; conduct review of documents on CD; request eDiscovery help with upload to FOIA online from CD
	EPA-HQ-2016-001296 Jesse Coleman	Details of all internal communications and communications with BP and/or the unified command regarding the use of dispersants and any human safety and health concerns for spill workers	12-11-2015	Pending in OEM; BP Lit hold until Sept 2016; verify request is still valid
	EPA-HQ-2016-001298 Jesse Coleman	Details of all internal communications and communications with BP and/or the unified command regarding personal protective equipment, respirators, industrial hygiene, environmental health and safety, air monitoring and testing	12-11-2015	Pending in OEM; BP Lit hold until Sept 2016; verify request is still valid
	EPA-HQ-2017-000327 Robert A. Campos	Request a copy of the following documents: Beginning January 1, 2009, any and all analysis, peer review, peer analysis, correspondence, emails, graphs, bar graphs and charts regarding the proposed Protective Action Guides for radiological Incidents	11-12-2016	Provide input to OAR; PAG needs research of history
	EPA-HQ-2017-002151 Theodora Scarato	All emails and their attachments sent to and from Paul Kudarauskas on the subject of the National Toxicology Program rat study	12-20-2015	Pending in OEM; Research history for information for final close out letter; redactions are visible in documents uploaded
	EPA-HQ-2017-005585 Zack	Requesting documents related to dispersants in the National Contingency Plan from January 1,	12-23-2015	Pending in OEM; Completed eDiscovery review; uploading

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
	Kopplin	2010 until today		responsive documents into FOIA online; final close out letter
	EPA-HQ-2017-005669 Jeff Ruch	Any records relating to the compliance with (or lack thereof) the Action Development Process for this stay (RMP Amendments), including records of any agency work groups, such as composition, meeting dates and materials reviewed and dates on which this rulemaking was subject to early guidance and final action review as part of the Action Development Process for this rulemaking; all materials, including emails, used in the drafting of this stay	1-3-2017	Pending in OEM; Per conference call with ORIA staff, Tiffany Purifoy and Sabrina Hamilton, it has been determined this FOIA will be reassigned to the OAR-IO FOIA Triage Team due to coordination, complexity and the need for a document production
	EPA-HQ-2017-010650 Fred Miller	Requesting all summary or analysis records from 2016-present relating to RMP covered facilities	1-19-2017	Pending in OEM
	EPA-HQ-2017-011017 Todd H. Henderson	Documents related to the EPA's April 22, 2015 new release, U.S. settles with ExxonMobil over violations stemming from 2013 oil spill in Mayflower, Arkansas and etc.	10-4-2017	Pending in OEM; ON HOLD
	EPA-HQ-2017-011043 Alexander Rony	Requesting the Risk Management Plan for the Arkema chemical facility in Crosby, Texas	10-6-2017	Pending in OEM; ON HOLD
	EPA-HQ-2017-011927 Jesse Coleman	Communications regarding oil spills (Referral from U.S. Department of Interior, Bureau of Ocean Energy Management)	10-30-2017	Pending in OEM; Need response developed to referral letter to USDOJ DOEM
	EPA-R6-2017-011516 Ted Bridis	Request RMP portion pertaining to the Chemical Safety Information, Site Security and Fuels Regulatory Relief Act	1-16-2017	Provide input to Region 6; preparing response
	EPA-R6-2017-011716 Suzanne Perry	Information sought any and all documents pertaining to the Arkema plant located at 18000 Crosby Eastgate Road, Crosby, Texas 77532. Information is requested from January 1, 2000 to the present.	3-2-2018	Provide input to Region 6; Coordination with Region 6 and submit eDiscovery request
	EPA-HQ-2018-	Looking for RMPs filed by these	11-1-2017	Pending in OEM; ON

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
	000032 Daniel R. Hellweg	Lineage Logistics cold storage units		HOLD; Letter of clarification sent with fee estimate on 17 Nov.
	EPA-HQ-2018-000841 Wendy Jacobs	Requests the Risk Management Plan, required by 42 U.S.C. § 7412(r), for the Arkema facility in Crosby, Texas, and records regarding inspection between January 2010 to present	2-9-2018	Pending in OEM; ON HOLD; Letter of clarification was sent to requester concerning scope of request
	EPA-HQ-2018-002174 John Christian A. Hyuga	Under Section 112® of the Clean Air Act, facilities that have regulated RMP chemical above specific quantity thresholds are required to submit an RMP. We're requesting from the EPA information in our area within 100 miles of Moffett Air National Guard Base	1-2-2018	Pending in OEM
	EPA-HQ-2018-002392 Claire Q. O'Ryan	Requesting information regarding the Deepwater Horizon oil spill. Looking for documents pertaining to this topic, as well as any other information you could present to me	1-8-2018	Pending in OEM; prepping letter for referral to previous FOIA information
	EPA-HQ-2018-003553 Connie Marini	Requesting an updated copy of the RMP database for all ten EPA regions in Access format	2-20-2018	Pending in OEM
	EPA-HQ-2018-003583 Samantha L. Sederquest	Risk Management Plans for all Facilities producing/handling/ process/ distribute/ store specific chemicals report plans required by the Clean Air Act from January 2017 to Present	2-20-2018	Pending in OEM
	EPA-HQ-2018-003721 Hiroko Tabuchi	Complete Risk Management Plan (RMP) Facility Accident Data for the period Dec. 1, 2013 to present, or to the latest date available	2-22-2018	Pending in OEM
ORCR	AX-17-000-8418 Thomas R. Kuhn	Federal regulations of coal combustion residuals	2-23-2017	Response will be similar to AX-17-001-2251, response has started.
	AX-17-001-1361 Lisa Evans	Opposition to draft guidance for approval of state coal combustion residuals permit programs	1-8-2017	Received input from Division Director and are revising.
	AX-17-001-2720 Abigail	AES Puerto rico LP Response to August 25, 2017 letter from Senator Richard Blumenthal to	1-27-2017	Response is being drafted.

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
	Reyes	Administrator Pruitt		
	AX-18-000-4085 Ian Eske	Concerns about coal ash; need more regulations on mining industry	12-20-2018	Pending in ORCR
	AX-18-000-4086 Antonio Nunez	Concerns about regulations for coal ash pollution	12-18-2018	Multiple student letters are contained in this response. ORCR is determining which are appropriate for our office to address
	AL-18-000-3992 Tom Udall	Hard Rock Mining Facilities	12-10-2018	Response is with management for review.
	EPA-HQ-2017-007455 Mychal Ozaeta	Request for information pertaining to EPA meetings related to draft guidance for EPA Authorization of state CCR Permit Programs	12-29-2018	Task assignment sent to Administrator's office due January 30; We have not received materials from the AO.
	EPA-HQ-2017-008252 Mychal Ozaeta	Requesting information pertaining to state applications for EPA Authorization of CCR Permit Programs for the state of Georgia	12-11-2018	Same status as EPA-HQ-2017-0011302
	EPA-HQ-2017-009524 Mychal Ozaeta	Requesting records pertaining to Draft Guidance for EPA Authorization of State CCR Permit Programs	12-29-2018	ORCR has asked that question 5 be assigned to the Administrator's Office. The rest may be more appropriate for PARMS because the request is for communications between us and OMB. PARMS would have responsive information.
	EPA-HQ-2017-010532 Mychal Ozaeta	Requesting information pertaining to state application for EPA Authorization of CCR Permit Programs	12-15-2018	Same status as EPA-HQ-2017-0011302
	EPA-HQ-2017-011302 Mychal Ozaeta	Requesting a copy of all applications from states to operate coal combustion residuals (CCR) permit programs submitted to EPA pursuant to section 2301 of the Water Infrastructure Improvements for the Nation Act and for the response of EPA to those applications	12-25-2018	ORCR sent interim response on 12/13/17. We have gathered a few more responsive documents (calendar invitations) to send to the requestor, but are awaiting clarification on how to transmit given there are redactions. The rest of the documents are in Regions 6 and 4 and they have been tasked to do by

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
				1/30/18.
	EPA-HQ-2017-011599 Sydney C. Amodio	Request access to and copies of records from the last three years containing zoning information on landfills and chemical plants in relation to demographic information including race, ethnicity and income levels	10-19-2017	Final response has been completed; Waiting for final review by Larry Gottesman in OEI/FOI
	EPA-HQ-2018-000298 Pat Gallagher	All financial disclosure statements and supporting records submitted by EPA employees who perform functions or duties under the Resource Conservation and Recovery Act ("RCRA"), pursuant to 42 U.S.C. § 6906 and etc.		Final response has been completed; Waiting for final review by Larry Gottesman in OEI/FOI
OSRTI	AX-17-001-3369 George C. Landrith	Follow-up on Letter of September 12, 2017 regarding West Lake Landfill	1-24-2018	Pending in OSRTI; Returned to Tracey Stewart for modification
	AL-18-000-0887 James M. Inhofe	Follow up to AX-17-001-3369 meeting request	1-18-2018	A response to control AX-17-001-3369 was sent to the Administrator's office on January 26, for his signature which will also close this control
	EPA-HQ-2018-000788 Andrew E. Skroback	Requesting all records and documents relating to the Diamond Alkali Superfund Site	1-26-2018	Pending in OSRTI; Currently negotiating extended time to respond because of multiple coordination; OSRTI is coordinating with the OGC FOIA FEAT Team. The extent of deliberative process has to be determined.
	EPA-R2-2018-000290 Kyle Bagenstose	All communications (emails, letters, memos, reports etc.) shared between EPA staff, its contractors, and/or external stakeholders, between 1/1/2016 and 10/9/2017, regarding the following Superfund site: Cinnaminson groundwater contamination (EPA ID: NJD980785638); All available minutes or reports from the two	1-22-2018	Provide input to Region 2; OSRTI FOIA contact coordinating response with Richard Jeng in ARD. The extent of deliberative process has to be determined.

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
		most recent annual "prioritization" meetings between EPA HQ staff and EPA Region 2 staff regarding annual funding for Superfund sites in EPA Region 2		

Message

From: McLendon, Wanda [McLendon.Wanda@epa.gov]
Sent: 1/11/2018 7:10:12 PM
To: Beasley, Julie [Beasley.Julie@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Casillas, Laura [Casillas.Laura@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Commodore, Carolin [Commodore.Carolin@epa.gov]; Deitz, Rachel [Deitz.Rachel@epa.gov]; Fitz-James, Schatzi [Fitz-James.Schatzi@epa.gov]; Gartner, Lois [Gartner.Loïs@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Hostage, Barbara [Hostage.Barbara@epa.gov]; Huff, Mark J [huff.markj@epa.gov]; Huggins, Richard [Huggins.Richard@epa.gov]; Hull, George [Hull.George@epa.gov]; Indermark, Michele [Indermark.Michele@epa.gov]; Johnson, Barnes [Johnson.Barnes@epa.gov]; Jones, Teresa D. [Jones.TeresaD@epa.gov]; Kenely, Caroline [Kenely.Caroline@epa.gov]; Lloyd, David [Lloyd.DavidR@epa.gov]; London, Bernadine [London.Bernadine@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Minor-Gordon, Jerry [Minor-Gordon.Jerry@epa.gov]; Pollard, Marcia [Pollard.Marcia@epa.gov]; Radtke, Meghan [Radtke.Meghan@epa.gov]; Reed, Kristen [Reed.Kristen@epa.gov]; Reynolds, David [Reynolds.David@epa.gov]; Schmitt, Stephen [Schmitt.Stephen@epa.gov]; Williams, Sheretta [Williams.Sheretta@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]; Smith, Susan [Smith.Susan@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Stewart, Tracey [Stewart.Tracey@epa.gov]; Thornton, Kecia [Thornton.Kecia@epa.gov]; Ward, Valerie [Ward.Valerie@epa.gov]; Wilbur, Jennifer [Wilbur.Jennifer@epa.gov]; Woolford, James [Woolford.James@epa.gov]; Worley, Ray [Worley.ray@epa.gov]
Subject: OLEM Preview Report -- Week Ending 1-19-2018
Attachments: Preview for Week Ending January 19, 2018.docx

Wanda Y. McLendon

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Message

From: Hilosky, Nick [Hilosky.Nick@epa.gov]
Sent: 4/5/2018 7:20:42 PM
To: Breen, Barry [Breen.Barry@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]; Cook, Steven [cook.steven@epa.gov]
CC: Brooks, Becky [Brooks.Becky@epa.gov]
Subject: Draft OLEM Weekly
Attachments: OLEM Weekly 4-5-18.docx

Attached is the draft OLEM weekly. Please let me know soon if you have any comments/edits so Barry can send.
Nick

Nicholas J. Hilosky
Special Assistant
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US Environmental Protection Agency
1200 Pennsylvania Avenue N.W.
Washington, DC 20460
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Cellular Phone / Ex. 6

Message

From: Carter, Donnell [Carter.Donnell@epa.gov]
Sent: 4/5/2018 4:34:30 PM
To: OLEM OD Deputies [OLEMODDeputies@epa.gov]; OLEM IO Materials [OLEMIOMaterials@epa.gov]; OLEM Schedulers-SAs [OLEMSchedulers-SAs@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Cook, Steven [cook.steven@epa.gov]; OLEM OPM Everyone [OLEMOPMEveryone@epa.gov]
CC: Hill, Teresa [Hill.Teresa@epa.gov]; Kenely, Caroline [Kenely.Caroline@epa.gov]; McDonald, Carolyn [McDonald.Carolyn@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]
Subject: AA's Weekly for April 9 - April 13, 2018
Attachments: AAs Weekly_OPM_04-05-2018.docx

Good afternoon Everyone,

Attached you will find OPM's weekly report for April 9 – April 13, 2018. Should you have questions please call or email. Thanks.

Donnell
(202) 564-6122

Consolidated Report to the AA
Office of Land and Emergency Management
Office of Program Management

For the Week of April 9 – April 13, 2018

Future Events and Dates to Highlight:

During the upcoming week, two Evacuation Chair Trainings are scheduled for the following dates and times:

- Tuesday, April 10th – 11 a.m. – 12 p.m.
- Thursday, April 12th – 1 p.m. – 2 p.m.

Employees will meet in room 4144 West and move to the stairwell where the exercise will be performed. The training is by way of invitation. Please reach out Donnell Carter on (202) 564-6122 if an invitation is needed.

Acquisition and Resources Management Staff(ARMS)

Nothing to report at this time.

Information Management and Data Quality Staff (IMDQS)

Nothing to report at this time.

e-Enterprise:

OPM is participating at the Leadership Council meeting on April 18 -19 in Chicago, IL. OLEM will present recent innovations and lessons learned in response to recent national incidents. OPM and OEM are currently developing materials.

e-Manifest:

OPM and ORCR are coordinating on responses to OIG's review of the system characterization and in preparation for future meetings with OIG.

Policy Analysis and Regulatory Management Staff (PARMS)

Items Requiring AA Signature/Approval/Concurrence

DSW Vacaturs

As modified on March 6, 2018, the D.C. Circuit vacated two regulatory provisions of the 2015 Definition of Solid Waste Rule. A good cause final rule will be used to implement the court decision. The rule should be ready for either Administrator signature or OMB review shortly. A significance briefing with OMB was held on March 28. *(Bill Noggle)*

PNDD Guidance

The Planning for Natural Disaster Debris (PNDD) draft guidance is under OMB/interagency review. This review is expected to conclude by April 6. A Federal Register notice opening the

comment period should be ready for signature by April 13 (determining what level signature is required on the FR notice). *(Bill Noggle)*

Informational/No Action Required

Interpretation under EPCRA re Reporting of Releases of Animal Wastes from Farms Guidance:
Given the passage of the FARM Act, OLEM is revising a guidance interpreting EPCRA's reporting requirements of releases of animal wastes from farms. PARMS expects to receive a revised version for agency review/approval by April 10, and shortly after moving it to OMB for an expedited review by April 17. PARMS is working vigorously to post this guidance on the web before May 1. *(Gerain Cogliano, Barbara Hostage)*

RMP Reconsideration NPRM

OMB expects to send the first-round of interagency comments on April 4. A meeting for the Department of Justice (DOJ) to provide their comments is scheduled for Thursday, April 5. Three Executive Order (EO) 12866 Listening Sessions are scheduled for April 10 (one with Blue Green Alliance, another with AFPM and API) and for April 12 (with ACC). *(Gerain Cogliano, Bill Noggle)*

Hazardous Substances Spill Prevention NPRM

This for Notice of Proposed Rulemaking package was submitted to OMB for interagency review on March 23. The first round of interagency comments is expected by April 13. *(Bill Noggle, Gerain Cogliano)*

Updates to SW-846 Methods 8260 and 8270

This package was submitted to OMB for interagency review on March 28. *(Bill Noggle, Gerain Cogliano)*

Scientific Integrity Committee

The Scientific Integrity (SI) Committee scheduled a quarterly meeting on April 10. The Agenda will likely include updates on Best Practices for Clearance efforts, and development of materials for addressing differing scientific opinions. PARMS is providing staff support for OLEM's Deputy Scientific Integrity Official Nigel Simon. *(Stiven Foster)*

TSCA Strategy Public Meeting

On April 10, PARMS is attending a public meeting convened by EPA-OPPT on the draft strategy to reduce the use of vertebrate animals in chemical testing. Input and information obtained during this meeting will be considered in the development of the final Strategic Plan. *(Kathleen Raffaele)*

OLEM-ORD PFAS groundwater remediation meeting

On April 12, a meeting between OLEM and ORD scientists is scheduled to discuss PFAS groundwater remediation research. *(Kathleen Raffaele, Stiven Foster)*

Lead Strategy

The President's Task Force for Children's Environmental Health Risks is working to complete a draft Lead Strategy by April 30. PARMS is coordinating the development of content and review by OLEM. (*Stiven Foster*)

PFOA and PFOS Contaminated Groundwater Memorandum

OLEM is working with OW and ORD to develop a memo that addresses PFOA and PFOS contaminated groundwater. PARMS is coordinating the effort within OLEM and with the other Program Offices. (*Stiven Foster, Kathleen Raffaele*)

Action Items for ODs/OLEM Program Offices

Reports to Congress

Policy Issues and Initiatives

Public Announcements within 60 Days

White House Weekly Items

External Speaking Engagements

Cabinet Report: Good Government Efforts

Cabinet Report: Controversial Issues and Resolution

Message

From: McLendon, Wanda [McLendon.Wanda@epa.gov]
Sent: 2/16/2018 12:20:35 PM
To: Beasley, Julie [Beasley.Julie@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Casillas, Laura [Casillas.Laura@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Commodore, Carolin [Commodore.Carolin@epa.gov]; Deitz, Rachel [Deitz.Rachel@epa.gov]; Fitz-James, Schatzi [Fitz-James.Schatzi@epa.gov]; Fredericks, Sharon [Fredericks.Sharon@epa.gov]; Gartner, Lois [Gartner.Loïs@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Hostage, Barbara [Hostage.Barbara@epa.gov]; Huff, Mark J [huff.markj@epa.gov]; Huggins, Richard [Huggins.Richard@epa.gov]; Hull, George [Hull.George@epa.gov]; Indermark, Michele [Indermark.Michele@epa.gov]; Johnson, Barnes [Johnson.Barnes@epa.gov]; Jones, Teresa D. [Jones.TeresaD@epa.gov]; Kenely, Caroline [Kenely.Caroline@epa.gov]; Lloyd, David [Lloyd.DavidR@epa.gov]; London, Bernadine [London.Bernadine@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Minor-Gordon, Jerry [Minor-Gordon.Jerry@epa.gov]; Pollard, Marcia [Pollard.Marcia@epa.gov]; Radtke, Meghan [Radtke.Meghan@epa.gov]; Reed, Kristen [Reed.Kristen@epa.gov]; Reynolds, David [Reynolds.David@epa.gov]; Schmitt, Stephen [Schmitt.Stephen@epa.gov]; Williams, Sheretta [Williams.Sheretta@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]; Smith, Susan [Smith.Susan@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Stewart, Tracey [Stewart.Tracey@epa.gov]; Thornton, Kecia [Thornton.Kecia@epa.gov]; Ward, Valerie [Ward.Valerie@epa.gov]; Wilbur, Jennifer [Wilbur.Jennifer@epa.gov]; Woolford, James [Woolford.James@epa.gov]; Worley, Ray [Worley.ray@epa.gov]
CC: Carter, Donnell [Carter.Donnell@epa.gov]
Subject: OLEM Preview Report -- Week Ending 2-23-2018
Attachments: Preview for Week Ending February 23, 2018.docx

Wanda Y. McLendon

Management Analyst
U.S. Environmental Protection Agency
Office of Land and Emergency Management
Organizational Management and Integrity Staff
William J. Clinton EPA West, Room 4139-C
(202) 566-1917
[Follow OLEM on Twitter @EPAland](#)

OFFICE OF LAND AND EMERGENCY MANAGEMENT

CONTROLLED CORRESPONDENCE and FOIA REQUESTS

**PREVIEW
For Week Ending:**

February 23, 2018

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
IO	AX-17-001- 2251 Robert E. Murray	Recommend EPA take immediate steps to postpone the compliance deadlines under the Coal Combustion Residuals (CCR) rule	2-20-2018	Sent for review to Becky Brooks; Waiting for extension request granted
	AL-18-000- 2865 Tom Carper	CERCLA/EPCRA air emissions reporting	2-10-2018	Sent for review to Becky Brooks
	AL-18-000- 4127 Kurt Schrader	Support of Mario County's FY18 Brownfield Community-Wide Assessment Grant	2-19-2018	Sent for review to Becky Brooks
OEM	OLEM-18-000- 2229 Fred storer	COMMENT-Risk Management Plans/Offsite Consequence Analysis/Worst case for LPGs	2-16-2018	Pending in OEM
	AX-17-000- 2823 Ellie Soto	Oil Spills and their effect of the earth	2-15-2018	Pending in OEM
	AX-17-000- 9900 Michael Poles	Student Letter-Cleanup of oil spills	2-23-2017	Pending in OEM
	AX-17-001- 1639 John H. Reaves	Are the nutrients in cattle waste Superfund hazardous substances?	2-15-2017	Pending in OEM; Need OGC input
	AL-18-000- 4153 John Hoeven	CERCLA/EPCRA Reporting Mandate	2-15-2018	Pending in OEM
	EPA-HQ-2014- 006764 Rick Hind	Requesting copies of all releasable documents and records regarding EPA meetings and communications with petro-chemical industry representatives regarding chemical facility safety, security and disaster prevention	2-29-2017	Records have been uploaded into FOIA online; Waiting for OD's signature on final response letter.

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
	EPA-HQ-2014-007716 Sam Pearson	All communications, including memos, emails, or any other written correspondence, related to the release of the report of the interagency task force on chemical safety (“A Shared Commitment: Improving Chemical Facility Safety and Security”) on or around June 6, 2014	12-23-2015	Pending in OEM; all documents have been identified “unredacted unreleasable;” contact requester
	EPA-HQ-2015-005948 Marquel Jordan	Requesting copies of any and all documents or records possessed by EPA concerning Lawrence M. Stanton’s activities on or about January 9, 2014 or the environmental testing and cleanup thereafter	12-23-2015	Pending in OEM; conduct review of documents on CD; request eDiscovery help with upload to FOIA online from CD
	EPA-HQ-2016-001296 Jesse Coleman	Details of all internal communications and communications with BP and/or the unified command regarding the use of dispersants and any human safety and health concerns for spill workers	12-11-2015	Pending in OEM; BP Lit hold until Sept 2016; verify request is still valid
	EPA-HQ-2016-001298 Jesse Coleman	Details of all internal communications and communications with BP and/or the unified command regarding personal protective equipment, respirators, industrial hygiene, environmental health and safety, air monitoring and testing	12-11-2015	Pending in OEM; BP Lit hold until Sept 2016; verify request is still valid
	EPA-HQ-2017-000327 Robert A. Campos	Request a copy of the following documents: Beginning January 1, 2009, any and all analysis, peer review, peer analysis, correspondence, emails, graphs, bar graphs and charts regarding the proposed Protective Action Guides for radiological Incidents	11-12-2016	Provide input to OAR; PAG needs research of history
	EPA-HQ-2017-002151 Theodora Scarato	All emails and their attachments sent to and from Paul Kudarauskas on the subject of the National Toxicology Program rat study	12-20-2015	Pending in OEM; Research history for information for final close out letter; redactions are visible in documents uploaded
	EPA-HQ-2017-005585 Zack	Requesting documents related to dispersants in the National Contingency Plan from January 1,	12-23-2015	Pending in OEM; Completed eDiscovery review; uploading

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
	Kopplin	2010 until today		responsive documents into FOIA online; final close out letter
	EPA-HQ-2017-005669 Jeff Ruch	Any records relating to the compliance with (or lack thereof) the Action Development Process for this stay (RMP Amendments), including records of any agency work groups, such as composition, meeting dates and materials reviewed and dates on which this rulemaking was subject to early guidance and final action review as part of the Action Development Process for this rulemaking; all materials, including emails, used in the drafting of this stay	10-3-2017	Pending in OEM; Per conference call with ORIA staff, Tiffany Purifoy and Sabrina Hamilton, it has been determined this FOIA will be reassigned to the OAR-IO FOIA Triage Team due to coordination, complexity and the need for a document production
	EPA-HQ-2017-010650 Fred Miller	Requesting all summary or analysis records from 2016-present relating to RMP covered facilities	10-19-2017	Pending in OEM
	EPA-HQ-2017-011017 Todd H. Henderson	Documents related to the EPA's April 22, 2015 new release, U.S. settles with ExxonMobil over violations stemming from 2013 oil spill in Mayflower, Arkansas and etc.	10-4-2017	Pending in OEM; ON HOLD
	EPA-HQ-2017-011043 Alexander Rony	Requesting the Risk Management Plan for the Arkema chemical facility in Crosby, Texas	10-6-2017	Pending in OEM; ON HOLD
	EPA-HQ-2017-011927 Jesse Coleman	Communications regarding oil spills (Referral from U.S. Department of Interior, Bureau of Ocean Energy Management)	10-30-2017	Pending in OEM; Need response developed to referral letter to USDOJ DOEM
	EPA-R6-2017-011516 Ted Bridis	Request RMP portion pertaining to the Chemical Safety Information, Site Security and Fuels Regulatory Relief Act	11-16-2017	Provide input to Region 6; preparing response
	EPA-R6-2017-011716 Suzanne Perry	Information sought any and all documents pertaining to the Arkema plant located at 18000 Crosby Eastgate Road, Crosby, Texas 77532. Information is requested from January 1, 2000 to the present.	12-2-2017	Provide input to Region 6; Coordination with Region 6 and submit eDiscovery request
	EPA-HQ-2018-	Looking for RMPs filed by these	11-1-2017	Pending in OEM; ON

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
	000032 Daniel R. Hellweg	Lineage Logistics cold storage units		HOLD; Letter of clarification sent with fee estimate on 17 Nov.
	EPA-HQ-2018-000841 Wendy Jacobs	Requests the Risk Management Plan, required by 42 U.S.C. § 7412(r), for the Arkema facility in Crosby, Texas, and records regarding inspection between January 2010 to present	2-9-2018	Pending in OEM; ON HOLD; Letter of clarification was sent to requester concerning scope of request
	EPA-HQ-2018-002174 John Christian A. Hyuga	Under Section 112® of the Clean Air Act, facilities that have regulated RMP chemical above specific quantity thresholds are required to submit an RMP. We're requesting from the EPA information in our area within 100 miles of Moffett Air National Guard Base	1-2-2018	Pending in OEM
	EPA-HQ-2018-002392 Claire Q. O'Ryan	Requesting information regarding the Deepwater Horizon oil spill. Looking for documents pertaining to this topic, as well as any other information you could present to me	1-8-2018	Pending in OEM; prepping letter for referral to previous FOIA information
	EPA-HQ-2018-003553 Connie Marini	Requesting an updated copy of the RMP database for all ten EPA regions in Access format	2-20-2018	Pending in OEM
	EPA-HQ-2018-003583 Samantha L. Sederquest	Risk Management Plans for all Facilities producing/handling/ process/ distribute/ store specific chemicals report plans required by the Clean Air Act from January 2017 to Present	2-20-2018	Pending in OEM
	EPA-HQ-2018-003721 Hiroko Tabuchi	Complete Risk Management Plan (RMP) Facility Accident Data for the period Dec. 1, 2013 to present, or to the latest date available	2-22-2018	Pending in OEM
ORCR	AX-17-000-8418 Thomas R. Kuhn	Federal regulations of coal combustion residuals	2-23-2017	Response will be similar to AX-17-001-2251, response has started.
	AX-17-001-1361 Lisa Evans	Opposition to draft guidance for approval of state coal combustion residuals permit programs	1-8-2017	Received input from Division Director and are revising.
	AX-17-001-2720 Abigail	AES Puerto rico LP Response to August 25, 2017 letter from Senator Richard Blumenthal to	1-27-2017	Response is being drafted.

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
	Reyes	Administrator Pruitt		
	AX-18-000-4085 Ian Eske	Concerns about coal ash; need more regulations on mining industry	2-20-2018	Pending in ORCR
	AX-18-000-4086 Antonio Nunez	Concerns about regulations for coal ash pollution	2-14-2018	Multiple student letters are contained in this response. ORCR is determining which are appropriate for our office to address
	AL-18-000-3992 Tom Udall	Hard Rock Mining Facilities	2-16-2018	Response is with management for review.
	EPA-HQ-2017-007455 Mychal Ozaeta	Request for information pertaining to EPA meetings related to draft guidance for EPA Authorization of state CCR Permit Programs	2-29-2018	Task assignment sent to Administrator's office due January 30; We have not received materials from the AO.
	EPA-HQ-2017-008252 Mychal Ozaeta	Requesting information pertaining to state applications for EPA Authorization of CCR Permit Programs for the state of Georgia	2-11-2018	Same status as EPA-HQ-2017-0011302
	EPA-HQ-2017-009524 Mychal Ozaeta	Requesting records pertaining to Draft Guidance for EPA Authorization of State CCR Permit Programs	2-23-2018	ORCR has asked that question 5 be assigned to the Administrator's Office. The rest may be more appropriate for PARMS because the request is for communications between us and OMB. PARMS would have responsive information.
	EPA-HQ-2017-010532 Mychal Ozaeta	Requesting information pertaining to state application for EPA Authorization of CCR Permit Programs	2-15-2018	Same status as EPA-HQ-2017-0011302
	EPA-HQ-2017-011302 Mychal Ozaeta	Requesting a copy of all applications from states to operate coal combustion residuals (CCR) permit programs submitted to EPA pursuant to section 2301 of the Water Infrastructure Improvements for the Nation Act and for the response of EPA to those applications	2-26-2018	ORCR sent interim response on 12/13/17. We have gathered a few more responsive documents (calendar invitations) to send to the requestor, but are awaiting clarification on how to transmit given there are redactions. The rest of the documents are in Regions 6 and 4 and they have been tasked to do by

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
				1/30/18.
	EPA-HQ-2017-011599 Sydney C. Amodio	Request access to and copies of records from the last three years containing zoning information on landfills and chemical plants in relation to demographic information including race, ethnicity and income levels	10-19-2017	Final response has been completed; Waiting for final review by Larry Gottesman in OEI/FOI
	EPA-HQ-2018-000298 Pat Gallagher	All financial disclosure statements and supporting records submitted by EPA employees who perform functions or duties under the Resource Conservation and Recovery Act ("RCRA"), pursuant to 42 U.S.C. § 6906 and etc.		Final response has been completed; Waiting for final review by Larry Gottesman in OEI/FOI
OSRTI	AX-17-001-3369 George C. Landrith	Follow-up on Letter of September 12, 2017 regarding West Lake Landfill	1-24-2018	Pending in OSRTI; Returned to Tracey Stewart for modification
	AL-18-000-0887 James M. Inhofe	Follow up to AX-17-001-3369 meeting request	1-18-2018	A response to control AX-17-001-3369 was sent to the Administrator's office on January 26, for his signature which will also close this control
	EPA-HQ-2018-000788 Andrew E. Skroback	Requesting all records and documents relating to the Diamond Alkali Superfund Site	1-26-2018	Pending in OSRTI; Currently negotiating extended time to respond because of multiple coordination; OSRTI is coordinating with the OGC FOIA FEAT Team. The extent of deliberative process has to be determined.
	EPA-R2-2018-000290 Kyle Bagenstose	All communications (emails, letters, memos, reports etc.) shared between EPA staff, its contractors, and/or external stakeholders, between 1/1/2016 and 10/9/2017, regarding the following Superfund site: Cinnaminson groundwater contamination (EPA ID: NJD980785638); All available minutes or reports from the two	1-22-2018	Provide input to Region 2; OSRTI FOIA contact coordinating response with Richard Jeng in ARD. The extent of deliberative process has to be determined.

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
		most recent annual "prioritization" meetings between EPA HQ staff and EPA Region 2 staff regarding annual funding for Superfund sites in EPA Region 2		

Message

From: Carter, Donnell [Carter.Donnell@epa.gov]
Sent: 2/15/2018 5:41:13 PM
To: OLEM OD Deputies [OLEMODDeputies@epa.gov]; OLEM Schedulers-SAs [OLEMSchedulers-SAs@epa.gov]; OLEM IO Materials [OLEMIOMaterials@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; OLEM OPM Everyone [OLEMOPMEveryone@epa.gov]
CC: McDonald, Carolyn [McDonald.Carolyn@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: AA's Weekly for Feb. 19 - Feb. 23, 2018
Attachments: AAs Weekly_OPM_02-15-2018.docx

Good afternoon Everyone,

Attached you will find OPM's weekly report for Feb. 19 – Feb. 23, 2018. Should you have questions please call or email. Thanks.

Donnell
(202) 564-6122

Consolidated Report to the AA
Office of Land and Emergency Management
Office of Program Management

For the Week of Feb. 19 – Feb. 23, 2018

Future Events and Dates to Highlight:

None.

Acquisition and Resources Management Staff

Nothing to report at this time.

Information Management and Data Quality Staff

Nothing to report at this time.

e-Enterprise:

On Wednesday, February 14 OPM briefed the e-Enterprise Regional Coordinators on e-Manifest current activities to ensure they connect with the e-Manifest Regional Points of Contact.

e-Manifest:

OPM and ORCR are coordinating on preparation for the pre-briefing and Executive Steering Committee meeting next Tuesday and Wednesday respectively. OPM will participate in the TWRAP meeting with ORCR next week to ensure tribes are up to date on e-Manifest.

Policy Analysis and Regulatory Management Staff

Items Requiring AA Signature/Approval/Concurrence

Nothing to report at this time.

Informational/No Action Required

HRM 108(b) Final Rule

On February 15 the correction memo was approved by the Administrator. The rule should be published in the FR soon. *(Rick Mattick, Gerain Cogliano, Bill Noggle)*

Aerosol Cans NPRM

The Rule package is ready for signature, except for the ICR. The ICR needs to be cleared by OEI before we move the rule through the signature process. Because there is no deadline associated with this action, there is no schedule for OEI to complete their review of the ICR. *(Richard Mattick, Gerain Cogliano)*

CERCLA/EPCRA Ag Reporting

RQ Adjustment of Ammonia and Hydrogen Sulfide for Air Releases at Farms: NPRM is expected to be sent to OMB for review by March 1. Rule is being written.

Continuous Releases Form: On February 14, PARMS received OMB's comments on the emergency ICR.

Q&As for Website: Will send Q&As relating to animal waste reporting to OP for OMB review ASAP but after working on RQ Adjustment rule. (*Gerain Cogliano, Bill Noggle*)

Coal Combustion Residuals Remand/Reconsideration Proposed Rule

The Rule is at OMB for interagency review. OMB sent second-round comments on January 19. Second-round responses from senior management was sent to ORCR on February 14. ORCR is preparing the package for submittal back to OMB. (*Richard Mattick, Bill Noggle, Gerain Cogliano*)

PNDD Guidance

The draft guidance is under OMB/interagency review. (*Bill Noggle*)

Hazardous Substances Spill Prevention NPRM

A FAR meeting is scheduled for February 21. (*Bill Noggle, Chris Prins*)

RMP Reconsideration NPRM

The workgroup closure package was submitted to the workgroup and appropriate RSC reps on February 9 with input due by no later than February 16. The rule needs to be submitted to OMB as soon as possible (in February). (*Gerain Cogliano, Chris Prins*)

International Coordination

PARMS is working with OITA's China Team and OLEM programs to address comments from China's Ministry of Environmental Protection (MEP) on the draft 2018-2020 work plan for EPA's MOU with China MEP, in preparation for the Joint Committee on Environmental Cooperation (JCEC) meeting in Beijing with the Administrator (likely to occur in May 2018). (*Chris Prins*)

PFAS Coordinating Committee

The Committee will meet on Tuesday, February 20 to discuss the proposed Action Agenda and related topics. PARMS will provide staff support. (*Stiven Foster*)

PFAS Briefing for OMB

On March 1, ORD will lead a briefing for OMB on EPA effort to address PFAS. PARMS will participate as observers. (*Kathleen Raffaele, Stiven Foster*)

Action Items for ODs/OLEM Program Offices

None.

Reports to Congress

Policy Issues and Initiatives

Public Announcements within 60 Days

White House Weekly Items

External Speaking Engagements

Cabinet Report: Good Government Efforts

Cabinet Report: Controversial Issues and Resolution

Message

From: Clark, Becki [Clark.Beki@epa.gov]
Sent: 10/19/2017 10:39:17 PM
To: Cheatham, Reggie [cheatham.reggie@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]
Subject: Fwd: Outcome from today's OMB meeting on the EPCRA/ CERCLA guidance on reporting requirements for emissions from animal waste

Barry,

Same topic as my vm to you earlier today - outcome of our call with OMB.

Sent from my iPhone

Begin forwarded message:

From: "Lewis, Jen" <Lewis.Jen@epa.gov>
Date: October 19, 2017 at 5:40:41 PM EDT
To: "Gioffre, Patricia" <Gioffre.Patricia@epa.gov>, "Dunkins, Robin" <Dunkins.Robin@epa.gov>
Cc: "Costa, Allison" <Costa.Allison@epa.gov>, "Jennings, Kim" <Jennings.Kim@epa.gov>, "Clark, Becki" <Clark.Beki@epa.gov>, "Noggle, William" <Noggle.William@epa.gov>, "Zenick, Elliott" <Zenick.Elliott@epa.gov>, "Jordan, Scott" <Jordan.Scott@epa.gov>
Subject: RE: Outcome from today's OMB meeting on the EPCRA/ CERCLA guidance on reporting requirements for emissions from animal waste

I'll just add that I've looped in Elliott Zenick since Scott is out. Elliott was going to connect with our political on this.

Jen Lewis
Deputy Associate General Counsel
Solid Waste and Emergency Response Law Office
(202) 564-2097

From: Gioffre, Patricia
Sent: Thursday, October 19, 2017 5:26 PM
To: Dunkins, Robin <Dunkins.Robin@epa.gov>
Cc: Costa, Allison <Costa.Allison@epa.gov>; Jennings, Kim <Jennings.Kim@epa.gov>; Clark, Becki <Clark.Beki@epa.gov>; Noggle, William <Noggle.William@epa.gov>; Lewis, Jen <Lewis.Jen@epa.gov>
Subject: Outcome from today's OMB meeting on the EPCRA/ CERCLA guidance on reporting requirements for emissions from animal waste

Robin-

Deliberative Process / Ex. 5

I believe that OMB will bring this up when we talk on Monday.

I've copied others who were on today's call and may want to chime in to add to this summary.

Please don't hesitate to call me with any questions. I can be reached tomorrow at the cell number listed below.

Best wishes!

Patty Gioffre
Acting Deputy Division Director
USEPA (OLEM/OEM/RID)
1200 Pennsylvania Ave. NW (5104A)
Washington, DC 20460
202-564-1972

Cellular Phone / Ex. 6

Message

From: McLendon, Wanda [McLendon.Wanda@epa.gov]
Sent: 4/18/2018 8:04:46 PM
To: Beasley, Julie [Beasley.Julie@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Brooks, Becky [Brooks.Becky@epa.gov]; Casillas, Laura [Casillas.Laura@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]; Commodore, Carolin [Commodore.Carolin@epa.gov]; Deitz, Rachel [Deitz.Rachel@epa.gov]; Fitz-James, Schatzi [Fitz-James.Schatzi@epa.gov]; Fredericks, Sharon [Fredericks.Sharon@epa.gov]; Gartner, Lois [Gartner.Loïs@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Hostage, Barbara [Hostage.Barbara@epa.gov]; Huff, Mark J [huff.markj@epa.gov]; Huggins, Richard [Huggins.Richard@epa.gov]; Hull, George [Hull.George@epa.gov]; Indermark, Michele [Indermark.Michele@epa.gov]; Johnson, Barnes [Johnson.Barnes@epa.gov]; Jones, Teresa D. [Jones.TeresaD@epa.gov]; Kenely, Caroline [Kenely.Caroline@epa.gov]; Lloyd, David [Lloyd.DavidR@epa.gov]; London, Bernadine [London.Bernadine@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Minor-Gordon, Jerry [Minor-Gordon.Jerry@epa.gov]; Pollard, Marcia [Pollard.Marcia@epa.gov]; Radtke, Meghan [Radtke.Meghan@epa.gov]; Reed, Kristen [Reed.Kristen@epa.gov]; Reynolds, David [Reynolds.David@epa.gov]; Schmitt, Stephen [Schmitt.Stephen@epa.gov]; Williams, Sheretta [Williams.Sheretta@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]; Smith, Susan [Smith.Susan@epa.gov]; Stalcup, Dana [Stalcup.Dana@epa.gov]; Stewart, Tracey [Stewart.Tracey@epa.gov]; Thornton, Kecia [Thornton.Kecia@epa.gov]; Ward, Valerie [Ward.Valerie@epa.gov]; Wilbur, Jennifer [Wilbur.Jennifer@epa.gov]; Woolford, James [Woolford.James@epa.gov]; Worley, Ray [Worley.ray@epa.gov]
CC: Carter, Donnell [Carter.Donnell@epa.gov]
Subject: OLEM Preview Report -- Week Ending 4-27-2018
Attachments: Preview for Week Ending April 27, 2018.docx; OLEM Office Summary Report as of 4-18-2018.xlsx

Wanda Y. McLendon

Management Analyst
U.S. Environmental Protection Agency
Office of Land and Emergency Management
Organizational Management and Integrity Staff
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(202) 566-1917
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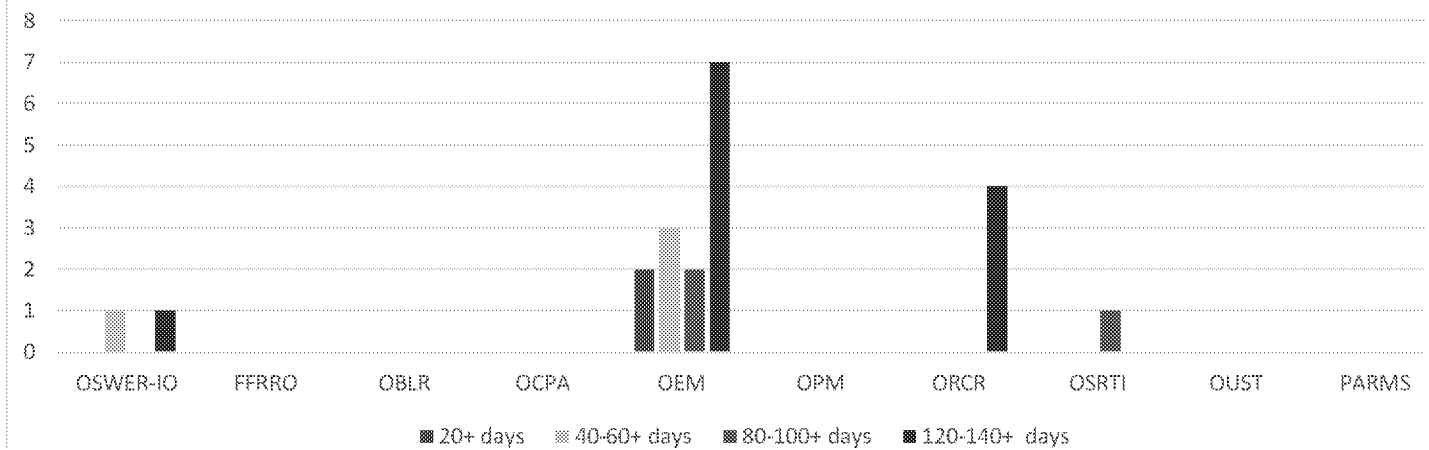
TABLE OF PAST DUE FOIAs & CORRESPONDENCE

April 18, 2018

Past Due

Assignments	20+ days	40-60+ days	80-100+ days	120-140+ days
OSWER-IO			1	1
FFRRO				
OBLR				
OCPA				
OEM	2		3	2
OPM				7
ORCR				4
OSRTI			1	
OUST				
PARMS				
TOTAL	2		4	12

Chart of Overdue FOIAs & Correspondence



[REDACTED]

OFFICE OF LAND AND EMERGENCY MANAGEMENT

CONTROLLED CORRESPONDENCE and FOIA REQUESTS

PREVIEW For Week Ending:

April 27, 2018

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
IO	AX-17-001-2251 Robert E. Murray	Recommend EPA take immediate steps to postpone the compliance deadlines under the Coal Combustion Residuals (CCR) rule	4-24-2018	Sent for review to Becky Brooks
	AX-18-000-5095 James D. Ogsbury	Financial assurance for hard rock mining facilities pursuant to Section 108(b) CERCLA	4-18-2018	Sent for review to Becky Brooks
	AL-18-000-2865 Tom Carper	CERCLA/EPCRA air emissions reporting	4-19-2018	Sent for review to Becky Brooks; Waiting on directions from OCIR
	EPA-HQ-2017-009524 Mychal Ozaeta, Earthjustice	Requesting records pertaining to Draft Guidance for EPA Authorization of State CCR Permit Programs	4-23-2018	PARMS does not have responsive documents; Question 5 is being addressed by the Administrator's Office.
OCPA	OLEM-18-000-3436 Arvind N. Patel	COMMENT-Superfund Task Force Recommendations	4-13-2018	Pending in OCPA; Returned for modification
OEM	AX-17-000-2823 Ellie Soto	Oil Spills and their effect of the earth	4-19-2018	Pending in OEM
	AX-17-000-9900 Michael Poles	Student Letter-Cleanup of oil spills	4-23-2018	Pending in OEM
	AX-17-001-1639 John H. Reaves	Are the nutrients in cattle waste Superfund hazardous substances?	4-11-2018	Pending in OEM; Need OGC input
	AL-18-000-4153 John Hoeven	CERCLA/EPCRA Reporting Mandate	4-18-2018	Pending in OEM; ON HOLD
	EPA-HQ-2014-007716 Sam	All communications, including memos, emails, or any other	4-22-2018	Per OGC, review uploaded documents for

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
	Pearson, Bloomberg BNA	written correspondence, related to the release of the report of the interagency task force on chemical safety ("A Shared Commitment: Improving Chemical Facility Safety and Security") on or around June 6, 2014		releaseability; prepare final closeout by 5/25/2018.
	EPA-HQ-2015-005948 Marquel Jordan, Blank Rome LLP	Requesting copies of any and all documents or records possessed by EPA concerning Lawrence M. Stanton's activities on or about January 9, 2014 or the environmental testing and cleanup thereafter	5-25-2018	Upload responsive documents into FOIA online; prepare final closeout by 5/25/2018
	EPA-HQ-2016-001296 Jesse Coleman, Greenpeace	Details of all internal communications and communications with BP and/or the unified command regarding the use of dispersants and any human safety and health concerns for spill workers	12-11-2015	Complete search for responsive documents 6/30/2018; Review and upload documents 7/31/2018; Prepare final closeout letter 8/31/2018
	EPA-HQ-2016-001298 Jesse Coleman, Greenpeace	Details of all internal communications and communications with BP and/or the unified command regarding personal protective equipment, respirators, industrial hygiene, environmental health and safety, air monitoring and testing	12-11-2015	Complete search for responsive documents 6/30/2018; Review and upload documents 7/31/2018; Prepare final closeout letter 8/31/2018
	EPA-HQ-2017-002151 Theodora Scarato	All emails and their attachments sent to and from Paul Kudarauskas on the subject of the National Toxicology Program rat study	7-31-2017	Review responsive documents for redaction and upload into FOIA online; apply exemptions and prepare final closeout letter by 7/31/2018
	EPA-HQ-2017-005585 Zack Kopplin, Government Accountability Project	Requesting documents related to dispersants in the National Contingency Plan from January 1, 2010 until today	5-25-2018	Pending in OEM; eDiscovery review ongoing (3000+ records) per discussion with OGC
	EPA-HQ-2017-005669 Jeff Ruch, PEER	Any records relating to the compliance with (or lack thereof) the Action Development Process for this stay (RMP Amendments), including records of any agency work groups, such as composition,	5-25-2018	Pending in OEM; Per conference call with ORIA staff, Tiffany Purifoy and Sabrina Hamilton, it has been determined this FOIA will be reassigned to the

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
		meeting dates and materials reviewed and dates on which this rulemaking was subject to early guidance and final action review as part of the Action Development Process for this rulemaking; all materials, including emails, used in the drafting of this stay		OAR-IO FOIA Triage Team due to coordination, complexity and the need for a document production
	EPA-HQ-2017-010650 Fred Miller	Requesting all summary or analysis records from 2016-present relating to RMP covered facilities	10-19-2017	Pending in OEM
	EPA-HQ-2017-011043 Alexander Rony	Requesting the Risk Management Plan for the Arkema chemical facility in Crosby, Texas	10-6-2017	Information was sent to the requester; Waiting for approval in FOIA online from Larry Gottesman
	EPA-HQ-2017-011927 Jesse Coleman, Greenpeace	Communications regarding oil spills (Referral from U.S. Department of Interior, Bureau of Ocean Energy Management)	10-30-2017	Pending in OEM; Need response developed to referral letter to USDOJ DOEM
	EPA-HQ-2018-000841 Wendy Jacobs, Harvard Law, School Emmett Environmental Law and Policy Clinic	Requests the Risk Management Plan, required by 42 U.S.C. § 7412(r), for the Arkema facility in Crosby, Texas, and records regarding inspection between January 2010 to present	2-9-2018	Pending in OEM; ON HOLD; Letter of clarification was sent to requester concerning scope of request; R6 to organize phone call with requester
	EPA-HQ-2018-002174 John Christian A. Hyuga, California Air National Guard	Under Section 112® of the Clean Air Act, facilities that have regulated RMP chemical above specific quantity thresholds are required to submit an RMP. We're requesting from the EPA information in our area within 100 miles of Moffett Air National Guard Base	1-2-2018	Pending in OEM; Will be withdrawn by requester
	EPA-HQ-2018-002392 Claire Q. O'Ryan	Requesting information regarding the Deepwater Horizon oil spill. Looking for documents pertaining to this topic, as well as any other information you could present to me	1-8-2018	Pending in OEM; prepping letter for referral to previous FOIA information
	EPA-HQ-2018-004446 John Greenewald,	Request a copy of records, electronic or otherwise DVD "Recovering from a Nuclear	1-16-2018	Pending in OEM; Need to clarify request

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
	The Black Vault	Incident-Lessons Learned from Chernobyl		
	EPA-HQ-2018-004550 Lauren Dillon, Democratic National Committee	Information pertaining to the flooding and damage of Superfund sites in Texas, Louisiana, Florida, Georgia, South Carolina, Puerto Rico and the Virgin Islands due to Hurricanes Harvey, Irma and Maria	4-20-2018	Pending in OEM; Need to clarify request
ORCR	AX-18-000-6029 Ryan Thompson	Concerned about littering	4-18-2018	Pending in ORCR
	AX-18-000-6178 Ken Murrell	Federal Register publication-coal ash	4-25-2018	Pending in ORCR
	AX-18-000-6236 Nicole Cory	Plastic pollution	4-20-2018	Pending in ORCR
	AX-18-000-6237 Carolyn Koenig	Plastic pollution	4-20-2018	Pending in ORCR
	AX-18-000-6301 Shari Feist Albrecht	Seeking EPA to act under Subtitle D of the RCRA with respect to federal regulation of oil and gas exploration and production wastes	4-25-2018	Pending in ORCR
	AX-18-000-6303 Reese Maliszewski	Plastic pollution is getting worse	4-25-2018	Pending in ORCR
	EPA-HQ-2017-007455 Mychal Ozaeta, Earthjustice	Request for information pertaining to EPA meetings related to draft guidance for EPA Authorization of state CCR Permit Programs	4-29-2018	Task assignment sent to Administrator's office due January 30; Have not received materials from the AO. AO received a preliminary Relativity report. As of April 12, this still in the AO's office
	EPA-HQ-2017-008252 Mychal Ozaeta, Earthjustice	Requesting information pertaining to state applications for EPA Authorization of CCR Permit Programs for the state of Georgia	4-11-2018	Same status as EPA-HQ-2017-0011302
	EPA-HQ-2017-010532 Mychal Ozaeta, Earthjustice	Requesting information pertaining to state application for EPA Authorization of CCR Permit Programs	4-15-2018	Same status as EPA-HQ-2017-0011302
	EPA-HQ-2017-	Requesting a copy of all	4-25-2018	ORCR sent interim

<i>ACTION OFFICE</i>	<i>CONTROL NUMBER</i>	<i>SUBJECT</i>	<i>DUE DATE</i>	<i>STATUS</i>
	011302 Mychal Ozaeta, Earthjustice	applications from states to operate coal combustion residuals (CCR) permit programs submitted to EPA pursuant to section 2301 of the Water Infrastructure Improvements for the Nation Act and for the response of EPA to those applications		response on 12/13/17. We have gathered a few more responsive documents (calendar invitations) to send to the requestor, but are awaiting clarification on how to transmit given there are redactions. The rest of the documents are in Regions 6 and 4 and they have been tasked to do by 1/30/18. As of 4/12/2018, Region 4 is wrapping up the task and anticipates completing it the week of April 16.
	EPA-HQ-2018-005348 Emily McKinney, Frost Brown	Requesting a copy of all correspondence to or from the Office of Land and Emergency Management (Office of Solid Waste and Emergency Response), or any other EPA office that may have such records regarding deadlines and requirements related to the CCR rule from April 17, 2015 to present	4-9-2018	Pending in ORCR; ON HOLD; Seeking guarantee of payment over \$100 fee limit and clarification. Waiting to hear from requester by May 4, 2018.
	EPA-HQ-2018-005558 Jeff Stover, FTI Consulting	Requesting responses to the RCRA §3007 survey from the 1980s, responses to the 1992 RCRA §3007 Questionnaire of the Petroleum Refining Industry and the 1992 RCRA §3007 Survey of the Petroleum Refining Industry Database	4-16-2018	Pending in ORCR
OSRTI	AL-18-000-0887 James M. Inhofe	Follow up to AX-17-001-3369 meeting request	4-18-2018	Same status as AX-17-001-3369 which was recently sent to the Administrator's office for final review and signature
OUST	EPA-HQ-2018-005804 Jennifer Horan, GeoSearch	Request listing of all FEMA owned underground storage tank locations for the entire United States	4-23-2018	Pending in OUST

Message

From: Brooks, Becky [Brooks.Becky@epa.gov]
Sent: 8/24/2017 7:07:27 PM
To: Davis, Patrick [davis.patrick@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]
Subject: REVISED RE: Weekly
Attachments: OLEM August 24 2017.docx

Please see the revised weekly attached.

*Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762*

From: Davis, Patrick
Sent: Thursday, August 24, 2017 2:58 PM
To: Brooks, Becky <Brooks.Becky@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>
Cc: Hilosky, Nick <Hilosky.Nick@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>
Subject: RE: Weekly

Could you please add my speaking at the Glacier Rail Industrial Park brownfield site ground breaking in Kalispel, MT representing the Agency?

Thanks,

Patrick Davis
Environmental Protection Agency
Deputy Assistant Administrator, Office of Land and Emergency Management
202-564-3103 office

Cellular Phone / Ex. 6

Information sent to this email address may be subject to FOIA.

From: Brooks, Becky
Sent: Thursday, August 24, 2017 2:55 PM
To: Breen, Barry <Breen.Barry@epa.gov>
Cc: Davis, Patrick <davis.patrick@epa.gov>; Hilosky, Nick <Hilosky.Nick@epa.gov>; Simon, Nigel <Simon.Nigel@epa.gov>
Subject: Weekly

Attached are potential items for the OLEM weekly to the AO.

*Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762*

OLEM Weekly Report, August 24, 2017

Hot Issues

1. **CCR State Permit Program Guidance.** On August 10, the interim final guidance was released. EPA will accept public comments for 30 days following its Aug 15th publication in the Federal Register.
2. **Mississippi Phosphates Corp. Site (Pascagoula, MS).** Recent significant site stability issues have created the need to move toward a closure approach for the site's East Gypstack. As the closure will most likely eliminate any potential re-use of the site as a fertilizer production facility, OECA committed to working with DOJ to seek clarification regarding how the site's time critical situation might affect the current potential buyer's interest.
3. **CERCLA 108(b) Financial Assurance for Hard Rock Mining and Mineral Processing.**
4. **Clean Air Act 112(r) Risk Management Program Rule.**
5. **Hanford Record of Decision (ROD).**
6. **Other ongoing major Superfund sites (for example, East Chicago, West Lake, Gold King mine/Bonita Peak, Hudson River, Portland Harbor).**
7. **CERCLA-EPCRA AFO-CAFO Rule.**
8. **Definition of Solid Waste (DSW).** We are working with OGC to follow up on the DC Circuit's decision.
9. **General Electric Financial Assurance template.** We are conferring with the AO regarding this technical assistance requested by state staff.

Upcoming Public Events

1. **Hudson River Site Tour (not a public event).** On August 31, OLEM and Region 2 will participate in a boat tour of the Hudson River site with Scenic Hudson and local Chamber of Commerce representatives.

Upcoming Major Decisions

1. **Hanford ROD.** We are working with Region 10 and the AO in preparation to brief the Administrator, targeted for in mid-September.
2. **CERCLA-EPCRA AFO-CAFO Rule.** We are conferring with the AO on next steps.

3. **E-Manifest User Fee Final Rule.** The rule package is with OMB.
4. **RMP Modernization Rule Reconsideration.** OLEM, OGC, and the AO are conferring on next steps and schedule.

Last Week Highlights

1. **Tribal Lands and Environment Forum.** The 2017 TLEF was a success, with about 435 participants, comprised of over 300 tribal participants, federal agencies, OK state commissioners, and non-profit/education institutions.
2. **Glacier Rail Park Groundbreaking.** On August 22, Patrick Davis participated in this USDOT TIGER grant project event in Kalispell, MT. The city expressed its appreciation for the EPA Area-Wide Planning grant it received that was a catalyst for redevelopment work in the area.
3. **Technical Assistance on Congressional Amendments.** OLEM continues to work with OECA and OCIR on the development of technical assistance to Congressional committees on several bills that would amend the CERCLA provisions governing state and local liability, as well as amend certain sections of the law governing the brownfields grant programs. The general intent of the amendments is to encourage state and local governments to acquire and clean up contaminated properties.
4. **EPCRA/CERCLA Meeting.** On August 24, OLEM and OGC met with representatives of the U.S. Poultry & Egg Association to discuss Emergency Planning and Community Right to Know Act/Comprehensive Environmental Response, Compensation, and Liability Act (EPCRA/CERCLA) reporting compliance concerns following vacatur of EPA's 2008 final rule EPCRA/CERCLA Administrative Reporting Exemption for Air Releases of Hazardous Substances from Animal Waste at Farms. The meeting focused on the concerns by concentrated animal feeding operations for how to estimate emissions to comply with reporting requirements and how EPA will address these concerns now that the DC Circuit Court has stayed the rule through November 14, 2017.

Message

From: Brooks, Becky [Brooks.Becky@epa.gov]
Sent: 11/30/2017 6:48:21 PM
To: Breen, Barry [Breen.Barry@epa.gov]
CC: Simon, Nigel [Simon.Nigel@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: Weekly
Attachments: OLEM Nov 30 2017.docx

Attached is a draft OLEM weekly. Becky

*Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762*

OLEM Weekly Report, November 30, 2017

Hot Issues

1. **Emergency response to hurricanes and wildfires.** Large-scale responses continue in both Region 2 (Puerto Rico and the US Virgin Islands) and Region 9 (California). Over 200 EPA employees and contractors are involved in each response; regions all across the country are in support.
2. **Coal Combustion Residuals.**
3. **CERCLA 108(b) Financial Assurance for Hard Rock Mining and Mineral Processing.** The draft of the final rule was provided to OMB for review on November 1. We have a judicial deadline of December 1.
4. **Clean Air Act 112(r) Risk Management Program.**
5. **Ongoing major Superfund NPL sites (for example, B.F. Goodrich, East Chicago, West Lake, Gold King Mine/Bonita Peak, Hudson River, Portland Harbor, Mississippi Phosphates).**
6. **CERCLA-EPCRA AFO-CAFO Rule.** On November 22, 2017, the DC Circuit Court of Appeals granted EPA's motion to further stay the mandate until January 22, 2018. Farms with continuous releases do not have to submit their initial continuous release notification until the DC Circuit Court of Appeals issues its order, or mandate, enforcing the Court opinion of April 11, 2017. No reporting is necessary until the mandate is issued.

Upcoming Public Events

1. **Brownfields Conference.** The national Brownfields Conference will take place on December 4 – 7, 2017, in Pittsburgh. To date, approximately 2,000 attendees are registered.
2. **National Association of Remedial Project Managers Training Program (NARPM).** NARPM is taking place December 4 - 8, 2017, in Denver, CO.

Upcoming Major Decisions

1. **E-Manifest User Fee Final Rule.** The rule package is with OMB.
2. **RMP Rule Reconsideration.** OLEM and OGC met with the AO on November 29 and have direction for moving forward.

Last Week Highlights

1. **Superfund Division Directors (SF DD) Meeting [not a public meeting].** The SF DD in-person meeting took place November 28 – 30, at EPA/Potomac Yards.
2. **B.F. Goodrich Superfund Site.** OLEM worked closely with Region 4, the AO, and others to revise the draft Proposed Plan in light of comments on the earlier draft.
3. **Wasted Food.** On November 21, EPA HQ and Regions 1, 5, 6, 8 and 9 issued press releases announcing the 2017 Food Recovery Challenge (FRC) Award winners. The national press release highlighted the accomplishments of the 16 national award winners, and included 2016 results of wasted food prevention and diversion activities by the over 950 businesses, governments and organizations participating in the FRC.

Message

From: Brooks, Becky [Brooks.Becky@epa.gov]
Sent: 8/24/2017 6:55:13 PM
To: Breen, Barry [Breen.Barry@epa.gov]
CC: Davis, Patrick [davis.patrick@epa.gov]; Hilosky, Nick [Hilosky.Nick@epa.gov]; Simon, Nigel [Simon.Nigel@epa.gov]
Subject: Weekly
Attachments: OLEM August 24 2017.docx

Attached are potential items for the OLEM weekly to the AO.

*Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762*

OLEM Weekly Report, August 24, 2017

Hot Issues

1. **CCR State Permit Program Guidance.** On August 10, the interim final guidance was released. EPA will accept public comments for 30 days following its Aug 15th publication in the Federal Register.
2. **Mississippi Phosphates Corp. Site (Pascagoula, MS).** Recent significant site stability issues have created the need to move toward a closure approach for the site's East Gypstack. As the closure will most likely eliminate any potential re-use of the site as a fertilizer production facility, OECA committed to working with DOJ to seek clarification regarding how the site's time critical situation might affect the current potential buyer's interest.
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Message

From: Colip, Matthew [colip.matthew@epa.gov]
Sent: 11/30/2017 6:40:41 PM
To: Darwin, Veronica [darwin.veronica@epa.gov]; Breen, Barry [Breen.Barry@epa.gov]; Lowery, Brigid [Lowery.Brigid@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]
CC: Hilosky, Nick [Hilosky.Nick@epa.gov]
Subject: EXPEDITED WEB REVIEW - OEM REQUESTING CERCLA/EPCRA Animal Waste Webpage Changes Needed Today

Importance: High

Good afternoon,

Below are web changes OEM is requesting to make today to the CERCLA/EPCRA Animal Waste website.

Please let me know if you have any comments or are OK to post and I'll coordinate with OWC. These changes have been reviewed by OGC. Thanks, Matt

The Q/As being added are:

Deliberative Process / Ex. 5

Also, NRC suggested the following revision to our language in the red attention box (see red language):

Deliberative Process / Ex. 5

Message

From: Brooks, Becky [Brooks.Becky@epa.gov]
Sent: 10/11/2017 3:26:54 PM
To: Breen, Barry [Breen.Barry@epa.gov]
Subject: FW: draft communications planning tool for CERCLA / EPCRA Reporting Requirement guidance doc
Attachments: Draft News Brief on Animal Waste Emissions Guidance 10-11-17.docx; DRAFT Desk Statement on Animal Waste Emissions Guidance 10-11-17.docx

Barry – Making sure you are looped in on this. At the EPCRA/CERCLA meeting this morning, Patrick approved them to move forward to OPA. OGC had reviewed them. Becky

*Becky Brooks
Special Assistant
Office of Land and Emergency Management
U.S. Environmental Protection Agency
ph. 202-566-2762*

From: Taylor, Trish
Sent: Wednesday, October 11, 2017 10:47 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Daguiard, Robert <Daguiard.Robert@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: RE: draft communications planning tool for CERCLA / EPCRA Reporting Requirement guidance doc

Hi Liz,

Attached is the draft press release. Since it will be targeted to agricultural-focused outlets only, we drafted a desk statement as well. They provide similar information.
Planned release date is Monday, October 16, 2017.

Thanks,
Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

From: Bowman, Liz
Sent: Thursday, October 05, 2017 5:46 PM
To: Taylor, Trish <Taylor.Trish@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Daguiard, Robert <Daguiard.Robert@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>
Subject: RE: draft communications planning tool for CERCLA / EPCRA Reporting Requirement guidance doc

Hi Trish – Thank you for pulling together this detailed and thoughtful communications plan. It looks good to me. All the messages look good, but if you could just send us the press release a day before you plan to send it out, that would be great. Thanks again – Liz

From: Taylor, Trish

Sent: Wednesday, October 4, 2017 1:51 PM

To: StClair, Christie <StClair.Christie@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Brooks, Becky <Brooks.Becky@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>

Subject: RE: draft communications planning tool for CERCLA / EPCRA Reporting Requirement guidance doc

Hi all,
+Looping in Liz

I've updated the calendar entry to include the draft communications strategy for the CERCLA / EPCRA reporting requirements for air releases of hazardous substances from animal waste at farms guidance.

The draft strategy is also attached here.

It has been reviewed/approved by Acting AA Barry Breen and DAA Patrick Davis.

OEM is currently working on the communications materials which will include a draft press release, desk statement, webpage update and Q&As.

- The press release mentioned in the plan will be targeted specifically to ag outlets only.
- OEM/OGC are currently revising the draft Q&As.

Please let me know if you have any questions or concerns about our planned approach.

Thank you,
Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)

From: Taylor, Trish

Sent: Monday, October 02, 2017 11:54 AM

To: StClair, Christie <StClair.Christie@epa.gov>

Cc: Valentine, Julia <Valentine.Julia@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Brooks, Becky <Brooks.Becky@epa.gov>

Subject: draft communications planning tool for CERCLA / EPCRA Reporting Requirement guidance doc

Hi Christie, Julia and Nancy,

I attached this draft comms planning tool to your OPA Calendar for Monday, October 16, 2017.

It's the short, planning tool showing the programs planned approach for outreach. I hope to have the more detailed draft communications strategy and materials very soon. Please let me know if you have any questions/comments on the 1-pager planning tool.

Thank you,

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at [@EPALand](https://twitter.com/EPALand)